



Pollack, A.
26-0119

Fwd: Request for Interpretation – LPG-Powered Forklifts Under 49 CFR § 173.220

1 message

INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>
To: "Baker, Yul (PHMSA)" <yul.baker@dot.gov>
Cc: Hazmat Interps <hazmatinterps@dot.gov>

Thu, Sep 10, 2026 at 10:39 AM

Good morning,

Please see the following request for a letter of interpretation. Let us know if you need anything.

Best,

Aminah

----- Forwarded message -----

From: **English, Jeff** <JeffEnglish@clarkmhc.com>
Date: Wed, Sep 9, 2026 at 5:17 PM
Subject: Re: Request for Interpretation – LPG-Powered Forklifts Under 49 CFR § 173.220
To: INFOCNTR <infocntr.infocntr@dot.gov>

Please see my address below:

Jeff English
General Counsel
CLARK Material Handling Company
4901 Commerce Crossings Dr
Louisville, KY 40229

Sent from my iPhone.

On Sep 9, 2026, at 4:36 PM, INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov> wrote:

[EXTERNAL] This email originated from outside of the CLARK organization. Do not click links or open attachments unless you recognize the sender.

Dear Jeff,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<https://www.phmsa.dot.gov/phmsa-regulations>

However, before we can submit your request for processing, please respond to this email with:

- Physical Mailing Address

Sincerely,

Aminah, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center>

On Wed, Sep 9, 2026 at 4:24 PM English, Jeff <JeffEnglish@clarkmhc.com> wrote:

To Whom It May Concern:

I am General Counsel for CLARK Material Handling Company, a manufacturer and distributor of forklifts in the United States. We are requesting clarification regarding the application of 49 CFR § 173.220 to the highway transportation of our LPG-powered forklifts.

CLARK manufactures forklifts powered by liquefied petroleum gas (propane). The forklifts use a removable propane cylinder mounted in the manufacturer-designated cylinder bracket and connected to the forklift's fuel system.

We are considering shipping new LPG-powered forklifts by commercial motor vehicle with propane in the installed fuel cylinder.

During transportation:

- The cylinder would be installed and secured in its normal operating position on the forklift.
- The cylinder would serve as the forklift's fuel supply and would not be shipped as a separate or spare cylinder.
- The cylinder valve and fuel system would be securely closed during transportation.
- The forklift would be transported as cargo by motor vehicle within the United States.

Our reading of 49 CFR § 173.220(b)(2) is that an LPG-powered forklift transported in this configuration may be transported by motor vehicle with propane in its fuel cylinder, provided the fuel tank and fuel system are securely closed. We further understand § 173.220(h)(1) to provide that a shipment meeting the requirements of § 173.220 is not subject to the other requirements of the Hazardous Materials Regulations when transported by motor vehicle. Could you please confirm whether our understanding is correct?

Specifically:

1. Does an LPG-powered forklift transported as described above fall within § 173.220(b)(2)?
2. May the installed propane cylinder contain propane, including a full cylinder, during highway transportation, provided the cylinder and fuel system are securely closed?
3. If the requirements of § 173.220 are satisfied, does § 173.220(h)(1) exempt the shipment from the otherwise applicable HMR requirements, including hazardous-material shipping papers, marking, labeling, placarding, and related requirements?

4. Are there any additional HMR requirements applicable to this configuration that CLARK should consider before implementing this shipping practice?

We would appreciate written confirmation of the applicable requirements so that we can establish a consistent shipping procedure for these forklifts.

Thank you for your assistance.

Jeff English | General Counsel

CLARK Material Handling Company

T: [502-216-0198](tel:502-216-0198)

E: jeffenglish@clarkmhc.com

www.clarkmhc.com

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