



U.S. Department  
of Transportation

Pipeline and Hazardous Materials  
Safety Administration

1200 New Jersey Ave., SE  
Washington, DC 20590

**FEB 03 2009**

Mr. Rick Campbell  
Quality Assurance Manager  
Advance Engineered Products Ltd.  
144 Henderson Drive  
Regina, SK S4N5P7  
Canada

Ref. No. 08-0217

Dear Mr. Campbell:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding registration of DOT specification cargo tank motor vehicle repairers, inspectors and testers. Specifically, you ask us to confirm your understanding that a Canadian facility must be registered in accordance with the requirements in Part 107, Subpart F of the HMR before repairing, inspecting and testing DOT specification cargo tank motor vehicles that will be used in the United States.

Your understanding is correct. Section 107.501 states that the registration procedure in Part 107, Subpart F applies to persons who are engaged in the manufacture, assembly, inspection and testing, certification, or repair of a cargo tank or a cargo tank motor vehicle manufactured in accordance with a DOT specification under the HMR or under terms of a special permit. Additionally, § 107.503(a)(8) requires that if the registrant is not a resident of the United States, the name and address of a permanent resident of the United States, designated in accordance with §105.40, must serve as agent for service of process.

I hope this information is helpful. Please contact this office if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mitchell", written over a horizontal line.

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

McIntyre  
§107.501  
Registration  
08-0217

**Drakeford, Carolyn <PHMSA>**

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**From:** INFOCNTR <PHMSA>  
**Sent:** Tuesday, August 26, 2008 12:59 PM  
**To:** Drakeford, Carolyn <PHMSA>  
**Subject:** FW: Interpretation Question

**From:** Rick Campbell [mailto:rcampbell@aepl.ca]  
**Sent:** Monday, August 25, 2008 7:03 PM  
**To:** INFOCNTR <PHMSA>  
**Subject:** Interpretation Question

I would very much appreciate your interpretation of 49 CFR Part 107 Subpart F as it relates to DOT specification cargo tank motor vehicles that may be repaired, inspected and tested by Canadian facilities. Specifically, can you confirm that a Canadian facility must be registered in accordance with the requirements of 49 CFR Part 107 Subpart F in order to perform repairs, inspections and tests to DOT specification cargo tank motor vehicles that are used, or will be used in the USA.

Please do not hesitate to contact me with any questions, or if you require further clarification of our question.

Sincerely,

Rick Campbell, P.Eng.  
Quality Assurance Manager  
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144 Henderson Drive  
Regina, SK.  
S4N5P7

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8/28/2008