



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

AUG 29 2013

Mr. Lucien DiMeo  
37 Birchbank Road  
Shelton, CT 06484

Ref. No. 13-0144

Dear Mr. DiMeo:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR 171-180) applicable to the non-commercial transportation of display fireworks. Specifically, you ask whether such transportation by you is subject to the HMR.

The answer is no. As provided by § 171.1(d)(6), the transportation of a hazardous material by an individual for non-commercial purposes in a private motor vehicle, including a leased or rented motor vehicle, is not subject to the HMR.

I trust this information is helpful. Please contact us if you require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is written in a cursive style and is positioned above the typed name.

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Lucien DiMeo  
37 Birchbank Road  
Shelton, CT 06484  
203-943-0054

Stevens  
§ 171.1  
Applicability  
13-0144

7/10/13

Dear Sir,

I currently have a BATFE #54 User of Firework (display) permit. This letter is a request for clarification for transportation of the fireworks. I pick up the 1.3 display fireworks for my personal noncommercial permitted show once a year. I use a personal vehicle to pick up and transport them. I believe that HMR 49 CFR 171-180 does not apply to me per article 107 1d.

I have a letter from the USDOT dated June of 1998 addressed to the American Pyrotechnics Association, citing that "fireworks that are sold to customers for personal, non-commercial use and transported by such persons are not subject to the HMR. It would be very helpful to me if I had current verification from the office of Hazardous Material Standards regarding this. If I was to be pulled over by any state trooper, I would like something more current, addressed to me, in writing which would verify my interpretation of HMR 49 CFR 171-180.

In speaking with the State of Connecticut office of the Fire Marshall, they are unaware of any special state or local requirements pertaining to transportation, other than that of the USDOT. I also am in possession of an email received this year from Arthur Fleener of the DOT agreeing with my interpretation but unfortunately it is not specific as to the type of firework nor that the transportation would be intrastate and if there was any need for escorts over bridges. I would greatly appreciate a letter or email addressing these concerns.

I may be sharing your response to my letter with any state and local officials that may be affected by my trip route. Thank you for looking into this for me.

Sincerely,



Lucien DiMeo