



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

OCT 27 1998

Mr. Paul Bomgardner
American Trucking Associations
220 Mill Road
Alexandria, VA 22314-4677

Ref. No. 98-0215

Dear Mr. Bomgardner:

This is in response to your letter regarding the requirements for carrier information contact specified in 49 CFR 172.606, under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You enclosed two (2) photographs of an inspection plate attached to a motor vehicle.

The motor carrier requirements prescribed in 49 CFR 396.17 prescribe an inspection report for commercial motor vehicles, including trailers and semi-trailers. You stated that many motor carriers choose to comply with this requirement by attaching a plate to the motor vehicle which contains information required in an inspection report, including the name address of the motor carrier, and may include the motor carrier's telephone number. You asked if the requirement in 49 CFR 172.606, for marking the carrier's telephone number on a motor vehicle, can be met by display of the carrier's telephone number on an inspection plate, as shown in the enclosed photographs.

The answer is no. The provisions in 49 CFR 172.606 require that the telephone number (for carrier notification and information contact) of the motor carrier must be marked on the motor vehicle on the front exterior near the brake hose and electrical connections, or on a label, tag, or sign attached to the motor vehicle near the brake hose or electrical connections. As shown in the enclosed photographs, the inspection plate on the vehicle is displayed on the side and not near the brake hose or electrical connections. Therefore, such display do not meet the requirements in 49 CFR 172.606.

I hope this satisfies you inquiry.

Sincerely,

Delmer F. Billings

Chief, Standards Development

Office of Hazardous Materials Standards

AMERICAN TRUCKING ASSOCIATIONS



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Safety Department
(703) 838-1847
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98-0215

July 24, 1998

Engrum
§ 172.606

Mr. Alan I. Roberts
Associate Administrator for Hazardous Materials Safety
Research and Special Programs Administration
U. S. Department of Transportation
DHM-1
400 Seventh Street, SW
Washington, DC 20590

Re: Carrier Information Contact: 49CFR Part 172 Section 172.606(b)(1)

Dear Mr. ^{AL}Roberts:

The intent of this letter is to seek an exception through interpretation to the requirement in section 172.606(b)(1) to "mark the transport vehicle with the telephone number of the motor carrier on the front exterior near the brake hose and electrical connections on a label, tag, or sign attached to the vehicle at the brake hose of electrical connection." Specifically, American Trucking Associations, Inc. (ATA) is seeking a favorable interpretation from Research and Special Programs Administration (RSPA) that would allow use of an existing marking in lieu of the marking specifically required in section 172.606(b)(1).

Motor carriers are required in section 396.17 of 49 CFR to perform a periodic inspection of every commercial motor vehicle, including trailers and semi-trailers. In conjunction with the inspection, documentation is required to be carried on the motor vehicle either in the form of a copy of the inspection report or by displaying a sign or tag on the vehicle which contains certain information based on the inspection. Included in the required information is the name and address of the motor carrier or other entity where the inspection report is maintained.

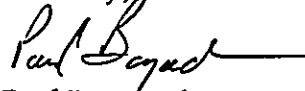
While many motor carriers elect to carry a copy of the inspection report and others provide the minimum amount of information required on an attached sign or tag, there are motor carriers who go beyond the requirements and provide additional information such as their telephone number. A prime example of a motor carrier that does provide additional information is Watkins Motor Lines, Inc. of Lakeland, Florida.

Watkins has elected to secure a metal plate which contains their telephone number in addition to the required information to the right front side of all their trailers. The positioning of the metal inspection plate serves both Watkins and the enforcement community well since most weigh and inspection stations are built to view the right sides of passing vehicles. Photographs of the inspection plate and its position on the trailer are attached.

On behalf of Watkins Motor Freight and other motor carriers who use similar markings, ATA requests that RSPA allow their use to satisfy the marking requirement in section 172.606(b)(1). We believe that use of the inspection plate for the purpose of motor carrier identification is in keeping with the intent of the marking requirement in the hazardous materials regulations. Additionally, we believe that it's location near the front of the trailer will cause no confusion on the part of responders and that safety would not be compromised.

As the requirement to display the marking in section 172.606 takes effect on October 1, 1998, we request an answer to this request at your earliest convenience. If you should have any questions or wish to discuss this request, please contact the undersigned at: 703-838-1849. Thank you for your consideration in this matter.

Sincerely,



Paul Bomgardner

Director, Hazardous Materials Policy

cc: Howard Fitzgerald
Corporate Safety Director
Watkins Motor Lines, Inc.

