



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

MAY - 1 1998

Mr. Frank L. Boone  
Liquid Transport Corporation  
6171 W 300 N  
Greenfield, IN 46140

Dear Mr. Boone:

This is in response to your letter regarding the requirements for carrier notification and information contact that apply to an unattended motor vehicle disconnected from its motive power, and a definition of "spotting" under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). I apologize for the delay in responding and hope it has not caused any inconvenience.

A final rule was published in the **Federal Register** on July 22, 1997 [62 FR 39398] which made corrections and responded to petitions for reconsideration of certain aspects of the January 8, 1997 final rule [Docket HM-206; 62 FR 1217; effective October 1, 1998], entitled "Improvements to Hazardous Materials Identification Systems." On April 1, 1997, a final rule [63 FR 16070] was published making technical amendments and editorial corrections in response to several petitions for reconsideration and an appeal of certain aspects of the July 22, 1997 final rule.

The term "spotting" is not defined in the HMR. The requirements in § 172.606(b) specify that if a highway transport vehicle contains hazardous material for which a shipping paper is required and the vehicle is separated from its motive power and parked at a location other than a consignee's, consignor's, or a facility subject to the provisions of § 172.602(c)(2), such as a carrier's terminal, marine terminal, or cleaning facility, the carrier must:

- 1) Mark the telephone number of the motor carrier on the exterior of the transport vehicle, or on a label, tag, or sign attached to the vehicle, at the brake hose or electrical connection; or
- 2) Have the shipping paper and emergency response information readily available on the transport vehicle; unless
- 3) An unattended motor vehicle separated from its motive power is marked with the identification number of the hazardous material loaded therein (see § 172.602(c)).

Therefore, the carrier information contact requirements apply to an unattended motor vehicle separated from its motive power and dropped or parked at a location, such as a motel or truck stop.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script, reading "Delmer F. Billings".

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards

Engrum  
File HM-206  
SC:

~~HSA~~  
RSPA  
HM



liquid transport corp

March 7, 1997

RSPA

~~Office of Motor Carrier Standards,~~  
U.S. Department of Transportation  
400 Seventh St., S.W.  
Washington, D.C. 20590


Dear Sirs:

HM-206

We would appreciate it if you could offer clarification in the form of an interpretation concerning ~~HM-200~~ on the definition of spotting. The requirements of ~~HM-200~~ affect equipment spotted at locations other than shipper, consignee, or carrier facilities. The requirement to have product and contact information on or in the unit if spotted could be less of a burden if we have a true understanding of the intended definition. Will spotting, as defined, include units dropped at tank washes for cleaning? Will the definition include service facilities where units may be dropped for minor repairs, adjustments, etc.?

Please provide an interpretation at your earliest convenience.

Sincerely,

  
Frank L. Boone  
Vice President,  
Safety and Compliance

left message 4/14

cc/Lanny Wilhelm  
Keith Lewis  
John Miskimen  
Dennis Cherry  
Safety file

MAY 5 1995

Mr. E. A. Altemos  
Technical Advisor  
Winston & Strawn  
1400 L Street, N.W.  
Washington, D.C. 20005-3502

Dear Mr. Altemos:

This is in response to your letter asking if a carrier must verify that a hazardous materials shipper is registered with the emergency response telephone monitoring company's telephone number indicated on a shipping paper. I apologize for the delay in responding and regret any inconvenience it may have caused.

Your understanding is correct. Before accepting a hazardous materials cargo, a motor carrier must ensure that an emergency response telephone number appears on a shipping paper as required in 49 CFR 172.604(a)(3). However, a motor carrier is not required to verify that the emergency response telephone number meets the remaining requirements of § 172.604. The shipper is responsible for ensuring that the emergency response telephone number is operative and meets the requirements in § 172.604(b).

I hope this information has been helpful. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,



Delmer F. Billings  
Chief, Regulations Development  
Office of Hazardous Materials Standards

GWYNN:at:DHM-11:64488:1/4/95  
File: 181/172.600  
SC: 399, 290



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Sincerely,

Delmer F. Billings  
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Office of Hazardous Materials Standards