



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

JAN 11 2000

Mr. Charles Boudin
Trailer Director
Quality Distribution
3802 Corporex Park Drive
Tampa, Florida 33619

Ref. No. 99-0328

Dear Mr. Boudin:

This responds to your letter, dated December 16, 1999, concerning record retention requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) for DOT specification cargo tanks and portable tanks. Specifically, you ask about record retention requirements for motor carriers operating shipper-owned cargo tanks and portable tanks.

The cargo tank record retention requirements are set forth in § 180.417 of the HMR. This section applies to all DOT specification cargo tanks. A motor carrier operating a cargo tank, but who is not the owner of the cargo tank, must obtain a copy of the manufacturer's certificate, the ASME U1A data report, where applicable, and related papers certifying that the cargo tank was manufactured and tested in accordance with the applicable specification and retain them for as long as the cargo tank is used by that carrier and for one year thereafter (see § 180.417(a)(2)).

Section 180.417(b) specifies retention requirements for test and inspection reports. Each DOT specification cargo tank that is tested or reinspected as required by § 180.407 must have a written report that includes the information listed in § 180.417(b)(1). The owner of the cargo tank and the motor carrier operating the cargo tank, if not the owner, must retain copies of the test and inspection reports until the next test or inspection of the same type is successfully completed. This requirement does not apply to a motor carrier leasing a cargo tank for less than 30 days (see § 180.417(b)(2)).

Section 180.417(c) specifies additional record retention requirements for MC 330 and MC 331 cargo tanks. After completion of the pressure test specified in § 180.407(g)(3), a motor carrier operating an MC 330 or MC 331 cargo tank in anhydrous ammonia, liquefied petroleum gas, or any other service that may cause stress corrosion cracking must make a written report containing the information listed in § 180.417(c)(1). The motor carrier must retain this report during the period the cargo tank is in service and for one year thereafter (see §§ 180.417(c)(2)). This requirement does not apply to a motor carrier leasing a cargo tank for less than 30 days (see § 180.417(c)(3)).



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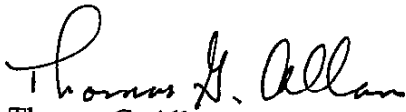
180-407

Section 180.416 specifies test requirements for the discharge system for a cargo tank used to transport liquefied compressed gases. The operator of each MC 330, MC 331, or nonspecification cargo tank used to transport liquefied compressed gases other than carbon dioxide must perform the inspections specified in § 180.416. After July 1, 2000, the operator must note each inspection in a record that includes the information in § 180.416(d)(5) and (f)(3). The operator must retain the records until the next test of the same type is successfully completed.

Record retention requirements for DOT Specification IM portable tanks are specified in §§ 173.32a and 173.32b. A motor carrier transporting an IM portable tank that is not the owner of the portable tank is not required to obtain or retain records relating to the tank's manufacture or continuing qualification.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,



Thomas G. Allan
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



QUALITY CARRIERS

December 16, 1999

Gorsky
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99-0328

Mr. Edward T. Mazzullo
Director Office of Hazardous
Material Standards
U. S. Department Of Transportation
Research and Special Programs
Administration
400 Seventh Street S.W.
Washington, D.C. 20590

Dear: Mr. Mazzullo

What are the Motor Carriers Record Retention requirements such as Data Reports, Certificate of Compliance, Repair, Inspection and Test Reports etc. When the Motor Carrier is Transporting Hazardous Material on the following Shipper Owned Cargo Tanks and Portable Tanks.

MC 303, 304, 306, 307, 311, 312, 330, 331, 338

DOT 406, 407, 412

IM101, IM102

Could you address each Specification Cargo and Portable tank separately with all pertinent DOT Regulations?

If you require more clarification of the question, please call me at (800) 282-2031 Ext 7306

Thank you

Charles Boudin
Trailer Director
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