



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

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

MAY - 2 2000

Ms. Dianne Bechtold
Place Quick, Inc.
P.O. Box 68091
Schaumburg, IL 60168-0091

Ref. No. 00-0069

Dear Ms. Bechtold:

This is in response to your letter dated February 28, 2000, concerning use of Scotchlite™ Reflective Sheeting Diamond Grade reflective materials for labels and placards used to communicate warnings posed by hazardous materials in transportation.

In a letter dated May 7, 1996, we advised that it is the opinion of this office that the placards you submitted for our review do not meet the requirements specified for placards in § 172.519 of the Hazardous Materials Regulations (HMR; Title 49 CFR parts 171-180). Specifically, we stated, in part, that the placard colors (including red) do not fall within prescribed tolerances. You now ask whether a carrier may voluntarily display a placard made from the non-conforming color materials, if a placard that fully conforms to all requirements in the HMR is displayed also. As § 172.502(a)(1)(iii) prohibits the display of any placard that does not conform to requirements of the HMR, you may not supplement the display of conforming placards with additional placards that do not conform to current standards.

Currently, this office is considering whether to propose a different standard for labels, placards and other hazard warning instruments constructed of retroreflective materials. Specifically, we are focusing on white and red Type V sheeting conforming to ASTM D 4956, Standard Specification for Retroreflective Sheeting for Traffic Control. This is the



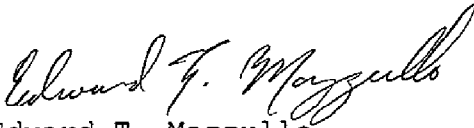
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standard referenced by the National Highway Traffic Safety Administration in 49 CFR 571.108 for conspicuity systems applicable to certain truck tractors and trailers. This issue is being addressed by the Research and Special Programs Administration in Docket No. RSPA-99-5005 (HM-206B), Hazard Communication Requirements -- Petitions for Rulemaking and Miscellaneous Amendments. We will advise you when a notice of proposed rulemaking is issued in this docket.

I hope this information is helpful.

Sincerely,

A handwritten signature in cursive script that reads "Edward T. Mazzullo".

Edward T. Mazzullo
Director, Office of Hazardous
Materials Standards

PLACE
QUICK, INC.

Allen
§ 172.519
00-0069

P.O. Box 68091, Schaumburg, IL 60168-0091 • Telephone ~~(630) 980-0181~~ Fax ~~(630) 980-0271~~

February 28, 2000

Dear Mr. Mazullo;

I am sure you remember all of the letters that have been back and forth between our offices during the past four and a half years concerning the exemption I have filed for Diamond Grade plaquards. I am only concerned with the red and white plaquards to be used on "dedicated" trucks.

I talked with Tom Allen about 3 weeks ago and asked another question. My customer insists that I get a ruling. He would like to put the Diamond Grade plaquards on "in addition to" the paper plaquards. He too insists that the paper plaquards are no longer "white" after the truck has been washed. If companies are allowed to custom letter the trucks without interfering with the paper plaquards, then reflective plaquards would not interfere with the paper plaquards.

I am awaiting the ruling meeting concerning the exemption, but would like a written reply as to an answer on this new question.

If you have any questions, please contact me between 10:00 am and 5pm Monday through Friday.

I am under the assumption that the ruling meeting is being planned and wish to be notified of the date and time, so I may arrange my schedule so that I might attend.

Your prompt reply would be greatly appreciated.

Sincerely,



Dianne Bechtold
630-483-4041

cc
Senator Richard Durbin
Rep. Philip Crane
Tom Allen