



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

OCT 16 2002

Captain Bruce Bugg  
Special Projects Coordinator  
Georgia Department of Motor Vehicle Safety  
Law Enforcement Division  
2206 East View Parkway  
Conyers, GA 30013-8047

Ref No. 02-0230

Dear Captain Bugg:

This is in response to your August 30, 2002 letter, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to a company logo. Specifically, you state that the company logo as shown in the photograph you supplied uses four (4) diamond-shaped devices and resembles placards by its size, shape and color. You question if the logo is prohibited under the HMR.

As provided in § 172.502(a), no person may affix or display on a packaging, freight container, unit load device, motor vehicle or rail car any sign, advertisement, slogan, or device that, by its color, design, shape or content, could be confused with any placard prescribed in this subpart. This prohibition is intended to limit the potential for dilution of hazard warning communication provided by the appropriate hazardous materials placards. The logo as shown in the photograph is designed in the same "shape" (a square-on-point configuration) and uses colors similar to those on hazard warning placards, therefore, it can be confused with a placard prescribed in the HMR and is prohibited under § 172.502.

I hope this information is helpful. If we can be of further assistance, do not hesitate to contact us.

Sincerely,

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



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172.502



Georgia Department of Motor Vehicle Safety  
Law Enforcement Division

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Foster  
§172.502  
Placarding  
02-0230

Col. Mark C. McLeod  
Commanding Officer

August 30, 2002

Mr. John Gale  
US. DOT - RSPA  
Office of Hazardous Materials Standards  
400 Seventh Street, SW  
Washington, DC 20590-0001

Dear Sir:

This letter follows up on e-mails from last year regarding this issue. Enclosed are photographs of a company logo on a commercial vehicle. As you can see, the logo uses four diamond-shaped devices (similar in layout to the NFPA 704 system), which are red, yellow, green, and black in color.

In the opinion of the inspecting officer, and in my opinion, the logo resembles placards by its size, shape, and color, and is therefore prohibited under 49 CFR §172.502. In our e-mail correspondence, you indicated that the prohibition would apply in this case.

This letter requests a formal, written clarification of this regulation, as it applies to the logo in question. We request as rapid a reply as possible, as we expect the motor carrier to contest the issue.

If you need more information, please contact me at 678.413.8825 or by e-mail at [obbugg@dmvs.ga.gov](mailto:obbugg@dmvs.ga.gov).

Sincerely,

Capt. Bruce Bugg  
Special Projects Coordinator