



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

OCT 29 2002

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

Sergeant Brad Wagner
Nebraska State Patrol
Carrier Enforcement Division
3920 West Kearney
Lincoln, NE 68524

Ref. No. 02-0248

Dear Sergeant Wagner:

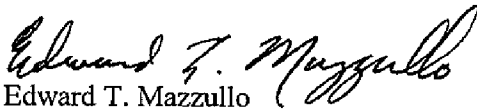
This is in response to your letters and telephone conversations with Ms. Eileen Edmonson of my staff inquiring whether a company's logo would be prohibited under 49 CFR 172.502(a)(2) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

The logo depicts a red diamond, positioned square-on-point, with the wording "Grab 'n Dash" displayed in a text box that is positioned across the center and extends beyond the diamond on both sides. Below the text box, the lower base of the diamond displays a pair of legs, with feet clad in shoes, in a running position. On the company's straight trucks, the diamond measures 19.25 inches corner to corner and the entire logo is 23.25 inches in height by 28.75 inches in width. On the trailers, the diamond measures 34.75 inches corner to corner and the entire logo is 39.5 inches in height by 48.5 inches in width.

Based on our review of the materials you enclosed, it is our opinion that the "Grab 'n Dash" logo is sufficiently distinct from the hazard warning placards prescribed in the HMR. Therefore, use of the logo is not prohibited under the provisions contained in § 172.502(a)(2).

I hope this satisfies your inquiry.

Sincerely,


Edward T. Mazzullo
Director, Office of Hazardous
Materials Standards



020248

172.502

Edmonson, Eileen

From: bwagner@nsp.state.ne.us
Sent: Monday, July 08, 2002 3:48 PM
To: eileen.edmonson@rspa.dot.gov
Subject: Advertisement



Dear Sir/Madam,

I am requesting a formal and informal interpretation as to whether the advertisement logo below violates 49 CFR 172.502(a)(2). Thank you for your time and attention in this matter.

Here is the information in question:(See attached file: Amcon1.jpg)(See attached file: Amcon2.jpg)(See attached file: Amcon3.jpg)

Sincerely,

Sgt. Brad Wagner
Nebraska State Patrol
Carrier Enforcement Division
3920 West Kearney
Lincoln, Nebraska 68524