



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

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

NOV 18 2003

Mr. Andrew N. Romach  
Regulatory Manager  
URS Corporations  
1600 Perimeter Park Drive  
Morrisville, NC 27560

Ref. No. 03-0251

Dear Mr. Romach:

This is in response to your September 24, 2003 letter, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the removal of placards. Specifically, you ask if the truck driver is responsible for removing placards after a freight container has been unloaded of hazardous materials.

The HMR do not specify when placards must be applied to or removed from a vehicle. However, as provided in § 171.2, no person shall, by marking or otherwise, represent that a hazardous material is present in a package, container, motor vehicle, rail car, aircraft, or vessel, if the hazardous material is not present. Thus, once a freight container has been unloaded and no longer contains hazardous materials, the placards must be removed prior to transportation of the empty freight container.

I hope this satisfies your inquiry.

Sincerely,

Susan Gorsky  
Senior Transportation Regulations Specialist  
Office of Hazardous Materials Standards



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**URS**

Foster  
§172.512  
Placarding  
03-0257

September 24, 2003

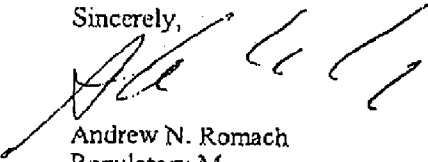
Mr. Ed Mazullo, Director  
Office of Hazardous Material Standards  
Research and Special Programs Administration  
U.S. Department of Transportation  
400 7th Street, SW  
Washington, DC 20590-0001  
FAX: (202) 366-3012

Dear Mr. Mazullo:

I am writing to you to request a written regulatory interpretation concerning who is responsible for removing placards once hazardous materials are delivered to the consignee and unloaded from a freight container. In the situation under question, the shipper of the hazardous materials hires a truck driver to transport a placardable quantity of hazardous materials inside a freight container to our facility; our employees unload the hazardous materials from the freight container and take possession of the hazardous materials at that time. The freight container remains attached to the truck bed. Once unloaded, the truck leaving our facility is empty. Is it the truck driver's responsibility to ensure that all of the placards formerly indicating that hazardous materials were present inside the freight container are removed in accordance with 49 CFR 171.2(f)(2) before driving off of our premises?

I would appreciate your clarification of this question.

Sincerely,



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Regulatory Manager  
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