



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

OCT 14 2004

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

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. 04-0191

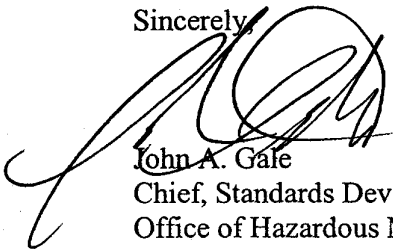
Dear Captain Bugg:

This is in response to your August 31, 2004 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to prohibited and permissive placarding. Specifically, you ask whether the company logo as shown in the photograph you supplied 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 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) as that of hazard warning placards, can be confused with a placard prescribed in the HMR, and, therefore, 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,



John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



040191

172.502(a)(2)

them you help and opinion on this matter will be appreciated.

Thanks

Doug Greene
VP training & safety
Benton-Georgia Inc
770-942-8180 ext 120
Cell 678-618-4695
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