



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

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

JAN 18 2005

Mr. Herbert Giles
Manager, Hazardous Material
Hyundai America
1425 Greenway Drive Suite 600
Irving, TX 75038

Reference No.: 04-0196

Dear Mr. Giles:

This responds to your letter requesting further clarification of the placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if it is a violation to affix placards to a non-flat surface (e.g.: corrugated) of a freight container.

It is difficult for us to evaluate the merits of the specific placard in question without seeing a picture of the placard on the freight container. However, the HMR do not prohibit placards from being placed on a corrugated surface if the placards still comply with the visibility and display requirements specified in § 172.516.

I trust this satisfies your inquiry.

Sincerely,

Hattie Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



040196

172.516



HYUNDAI

AMERICA SHIPPING AGENCY, INC.

Sa. Herthwaite
§172.516
Placarding

04-0196

20 December 2004

To: U. S. Department of Transportation
Office of Hazardous Material Standards (DHM 10)
400 7th Street SW
Washington, D. C. 20590

From: Hyundai America Shipping Agency
(Hazardous Material Department)
1425 Greenway Drive, Suite 600
Irving, Texas 75038

Subj: Letter of Interpretation

1. Recently, one of our in-house trucking companies received a citation by the Long Beach Police Department alleging that the hazardous material placards affixed to the front panel of an intermodal container was not readable and therefore was in violation of section 172.516(c)(5) 49 CFR. In addition, the citation states that when viewed from an angle rather than directly from the direction the placard faced, only "927" of the ID number 2927 could be viewed from the left front and only "292" from the right front. In other words, the officer whom wrote the citation was attempting to read the ID number 2927 from it seems a 45 degree angle. Just minutes before the Long Beach policeman cited the trucker, the U. S. Coast Guard Marine Safety Office had inspected the same container and found no defects or violations of either the 49 CFR or the IMDG Code.

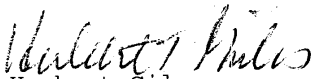
2. Section 172.516(a) reads "Each placard on a motor vehicle and each placard on a rail car must be clearly visible from the direction it faces, etc". This section goes on to state "This requirement may be met by the placards displayed on the freight containers or portable tanks loaded on a motor vehicle or rail car."

3. My question is:

a. Since the corrugated sides (especially the front) of a freight container obscure the visibility of placards, is it a violation of the HMR to affix placards to freight containers that do not have a flat surface welded on each of the four sides specifically for the purpose of affixing placards to its flat surface?

4. I look forward to your response.

Best Regards,



Herbert Giles
Manager, Hazardous Material
Hyundai America
972-550-2645