



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

OCT 22 2014

Mr. Ed Gruber
Communication Center – Technical Security Division
843 Brightseat Road
Landover, MD 20785

Ref. No. 14-0155

Dear Mr. Gruber:

This is in response to your August 14, 2014 email regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) to U.S. Secret Service transport of hazardous material in a government vehicle on official business by the agency. Specifically, you ask if your understanding is correct that this type of transportation is not in commerce, and thus not subject to the HMR.

Your understanding is correct. As provided in § 171.1(d)(5), the HMR do not apply to transportation of a hazardous material in a motor vehicle, aircraft, or vessel operated by a Federal, state, or local government employee solely for noncommercial Federal, state, or local government purposes. Thus, when the U.S. Secret Service transports hazardous materials for its own use, using its own personnel, and in its own vehicles, it is not engaged in transportation in commerce and not subject to the HMR.

I trust this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Dirk Der Kinderen
Acting Chief, Standard Development
Standards and Rulemaking Division

Goodall, Shante CTR (PHMSA)

*Stewart
171.1
Applicability
14-0155*

From: Ciccarone, Michael CTR (PHMSA)
Sent: Friday, August 15, 2014 1:50 PM
To: Hazmat Interps
Subject: FW: Letter of Interpretation request - Gov't Operations Exception from the HMR

Shante and Alice,

Please submit this for a formal letter of interpretation. The caller discussed the topic with Victoria Lehman.

Thanks,

Mike

From: EVERETT GRUBER (TSD) [<mailto:Ed.Gruber@usss.dhs.gov>]
Sent: Thursday, August 14, 2014 12:13 PM
To: INFOCNTR (PHMSA)
Subject: Letter of Interpretation request - Gov't Operations Exception from the HMR

I work for the U.S. Secret Service Technical Security Division. I have been asked to contact the U.S. DOT Hazardous Materials Information Center regarding clarification on the applicability of Hazardous Materials Regulations when transporting HAZMAT in a US. Government vehicle on official business by government employees.

It is my understanding that the regulations do not apply, since the above is not considered transportation for commerce.

If possible, I would like to request a letter of interpretation specifically for U.S. Secret Service operations.

The letter could be sent via email to this email address, or if that is not satisfactory, the mailing address is:

Communication Center – Technical Security Division
C/O Ed Gruber
843 Brightseat Road
Landover MD 20785

I can be contacted at this email address or (ofc)202-942-3163 or (bb)202-380-6304

Thank you for your time.

Respectfully,

Ed Gruber

Ed Gruber
U.S. Secret Service/TSD
EOD Operations Section
Ofc: 202-942-3163

Cell: 202-380-6304

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