



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

DEC 05 2012

Mr. Vincent F. Staregowski
Hazmat Specialist
Events Air Cargo
6111 Lockheed
Anchorage, AK 99518

Reference No.: 12-0200

Dear Mr. Staregowski:

This is in response to your September 05, 2012 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You present a scenario in which you utilize an electric battery- powered pallet jack to move pallets from the door of the aircraft to their assigned position on the aircraft. The pallet jack then travels with the aircraft and is utilized to move pallets back to the door for offload at destination. Finally the pallet jack returns with the aircraft to its final destination. You ask if shipping papers are required for the movement of this pallet jack.

As specified in § 175.8(a)(2), hazardous materials required aboard an aircraft in accordance with the applicable Federal Aviation Administration (FAA) airworthiness requirements and operating regulations are excepted from the requirements of the HMR. If the pallet jack is not eligible for the exception in § 175.8(a)(2) requirements for transporting battery- powered equipment for transportation by aircraft are found in § 173.220. Various exceptions are also provided in § 173.220(h). It should be noted that shipping papers are not excepted for battery- powered machinery when offered for transport by aircraft.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Webb
\$173.220
\$175.8

From: INFOCNTR (PHMSA)
Sent: Wednesday, September 05, 2012 5:10 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: BATTERY POWERED EQUIPMENT.

Exceptions
Applicability
12-0200

Carolyn,

We received the following request for a formal letter of interpretation.

Thanks,
Victoria

From: Vincent Staregowski [<mailto:anccar5@evertsair.com>]
Sent: Tuesday, September 04, 2012 2:33 PM
To: INFOCNTR (PHMSA)
Cc: Vincent Staregowski
Subject: BATTERY POWERED EQUIPMENT.

Everts Air Cargo
6111 Lockheed
Anchorage, Alaska 99518

I am an air carrier who on occasion utilizes
A electric pallet jack (battery powered equipment) to move pallets from the door or the aircraft
to its assigned position on the aircraft. The pallet jack travels with the aircraft and
again it is utilized to move the pallets back to the door for offload at destination.
The pallet jack returns with the aircraft back to Anchorage,

My question: are shippers papers required as this pallet jack is aircraft equipment
and not moving in commerce??

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Please answer in letter of interpretation so I may file
the correct requirement.

..
Thank you
Vincent F Staregowski
Hazmat Specialist
Everts Air Cargo.