



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

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

OCT 23 2003

Mr. Richard Palava
Palava Consulting Services
1735 Indian Wells Avenue
Ocala, Florida 34472-8402

Ref. No. 03-0102

Dear Mr. Palava:

This is in further response to your April 2, 2003 letter requesting clarification of the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to carriers transporting hazardous materials in commerce. You were specifically concerned about the applicability of the HMR to transport vehicles that have been cleaned and purged of the hazardous materials they previously contained.

Our May 27, 2003 reply to your letter indicated that the HMR do not apply to the transportation of an empty trailer that has been cleaned and purged of hazardous materials. We should have noted that, for cargo tank motor vehicles and other bulk packagings that are marked to indicate conformance with the packaging specification requirements in the HMR, the packaging must conform to all applicable regulatory requirements even if the packaging has been cleaned and purged of all hazardous materials. Thus, a specification cargo tank motor vehicle that has been cleaned and purged must comply with all applicable specification, requalification, and maintenance requirements or the specification marking must be covered or removed.

I hope this information is helpful. Please accept my apology for any confusion our previous letter may have caused.

Sincerely,

Susan Gorsky
Senior Regulations Specialist
Office of Hazardous Materials Standards



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