



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

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

FEB 16 2005

Shawntez L. Brooks, 2<sup>nd</sup> Lieutenant  
Group Fleet Management Officer  
3<sup>rd</sup> Combat Communications Group (ACC)  
Department of the Air Force  
Building 1002, Suite 102  
4385 South Air Depot Boulevard  
Tinker Air Force Base, OK 73145

Reference No. 05-0024

Dear Ms. Brooks,

This is in response to your January 21, 2005 letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to the transport of fuels and other items solely for military purposes in Department of Defense-owned and -operated vehicles.

The transport of hazardous materials in military or government vehicles operated by military or government personnel solely for noncommercial purposes is not subject to the HMR. However, if the purpose is commercial, or if the government entity offers hazardous material for transportation to commercial carriers, then the HMR would apply.

I hope this information is helpful.

Sincerely,

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



050024

171.1



DEPARTMENT OF THE AIR FORCE  
3d COMBAT COMMUNICATIONS GROUP (ACC)  
TINKER AIR FORCE BASE OKLAHOMA

Edmonson  
§ 171.1  
Applicability  
05-0024

21 Jan 05

Second Lieutenant Shawntez L. Brooks  
Group Fleet Management Officer  
4385 S. Air Depot Blvd.  
Bldg 1002, Suite 102  
Tinker AFB OK 73145

Mr. Edward T. Mazzullo  
United States Department of Transportation  
Research and Special Programs Administration  
Office of Hazardous Materials Standards  
400 7th St., S.W.  
Washington, D.C. 20590

Dear Mr. Mazzullo:

This letter addresses the applicability of 49 CFR parts 170-180, the Hazardous Materials Regulations (HMR), for DOD-owned and operated vehicles. The 3d Combat Communications Group vehicles are used to transport fuels (Gasoline and Diesel). Military transported items are used solely for military purposes during routine training and field activities.

The vehicles are not limited to transportation on DOD installations; they also travel over public roads/highways in the accomplishment of their mission. Questions have been raised as to whether or not these regulations apply to military entities. Does the HMR regulation apply under these conditions?

Please provide a written response to this question for our records. Your assistance is greatly appreciated.

Sincerely,

SHAWNTEZ L. BROOKS, 2nd Lt, USAF  
Group Fleet Management Officer