U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

APR 14 2005

Mr. Rich K. Kaczynski
Safety Manager
A. Duie Pyle, Inc.
P.O. Box 564
West Chester, PA 19381

Ref No.: 05-0063

Dear Mr. Kaczynski,

This is in response to your letter dated March 18, 2005, requesting clarification of the requirements for visibility and display of placards found in § 172.516 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 100-185). Specifically, you request an interpretation clarifying whether a placard on a cargo body to which a truck-tractor is attached must be visible from the direction of the truck-tractor.

The answer is no. In accordance with § 172.516(a), each placard on a motor vehicle must be clearly visible from the direction it faces, except from the direction of another transport vehicle to which the motor vehicle is attached. Therefore, a placard on a cargo body does not have to be visible from the direction of another transport vehicle, including the truck-tractor. However, the required placarding may be displayed on the front of a truck-tractor instead of or in addition to the placarding on the front of the cargo body to which a truck-tractor is attached (see § 172.516(b)).

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards

050063

172.516

Close

From: Gale, John <PHMSA>

To: Supko, Ben <PHMSA>

Cc:

Subject: FW: Interpretation guidance

Sent: 3/21/2005 4:31 PM **Importance:** Normal

See me

Supko
§ 172.516
Placarding
05-0063

-----Original Message-----
From: Rich Kaczynski [mailto:rkaczynski@pyleco.com]
Sent: Friday, March 18, 2005 11:42 AM
To: Gale, John <PHMSA>
Subject: Interpretation guidance

Dear Mr. Gale;

By way of introduction, my name is Rich 'K.' Kaczynski and I am the Safety Manager for a transportation company named A. Duie Pyle Inc. located in West Chester, Pennsylvania. I am writing to you because my drivers are being stopped at a local truck inspection station and being told that our trucks are in violation of 172.516, Visibility and display of placards, and are being given a letter that originated from you as a basis of this violation. In short, we are being told that the placards on the front of the trailer in the attached pictures are in violation of 172.516 because it is not visible from the direction it faces when coupled to our tractors.

<<MVC-009S.JPG>> <<MVC-010S.JPG>> <<MVC-011S.JPG>> <<MVC-012S.JPG>> <<MVC-013S.JPG>> <<MVC-007F.JPG>> <<MVC-017S.JPG>>

My drivers are being given the following letter at a local inspection station:

<<RSPA Interpretatation letter.htm>>

We thought that the following interpretation letter written by Del Billings in 1995 made our situation legal but it was recently pointed out to us that this interpretation did not apply anymore.

<<Conway letter.pdf>>

When Mr. Billings wrote this letter in 1995, 172.516 stated that " each placard on a motor vehicle and each placard on a rail car must be readily visible from the direction it faces except from the direction of ***another motor vehicle*** or rail car to which the motor vehicle or rail car is coupled. 172.516 does not state that any more. It now states "each placard on a motor vehicle and each placard on a rail car must be clearly visible from the direction it faces, except from the direction of ***another transport vehicle*** or rail car to which the motor vehicle or rail car is coupled". I am being told by the local enforcement officials that my tractor that makes up our tractor-trailer semi combination unit cannot be considered as a "transport vehicle" because it is not a "cargo-carrying vehicle" as defined in 171.8. Only our trailers in this example can be considered a "transport vehicle" because they are cargo carrying. Instead, I am told that our tractor meets the definition of a

"motor vehicle" as defined in 171.8 and under that definition I am in violation of 171.516 because when placarded, our forward placards on our trailers are being blocked by our tractors because they are not visible from the front.

Mr. Gale, I need an interpretation and or a clarification on this matter. Today's tractors (power units, motor vehicles) are not designed to have placards on them. The placards do not fit on the bumpers and you cannot put them on the grille on the front or they will block the air-flow and foul the engines. If you put them on the air deflectors over the drivers compartment or cab the drivers will not be able to reach and access them. Either the definitions in 171.8 must be made more definitive, an addendum to 172.516 be made to include "another motor vehicle" and / or a clear interpretation must be presented from PHMSA to clarify this issue. Not only does this affect our company, but we believe that interpreting that the front of a tractor must be placarded in a tractor trailer combination, will impact millions of trucks in the United States.

Thank you.

Respectfully,

Rich "K" Kaczynski
Safety Manager
A. Duie Pyle Inc.
P.O. Box 564
West Chester, PA., 19381

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