



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

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

APR 17 2003

Mr. Dwight Fast
DOT/Hazmat Coordinator
Qualex, Inc.
4020 Stirrup Creek Drive, Suite 211
Durham, NC 27703

Ref. No. 03-0055

Dear Mr. Fast:

This is in response to your February 10, 2003 letter regarding the applicability of the materials of trade (MOTS) exception specified in § 173.6 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are paraphrased and answered below.

Q1. Would the MOTs exception apply to the carriage of hazardous materials in a Qualex vehicle from the Qualex mix site to a Qualex distribution center.

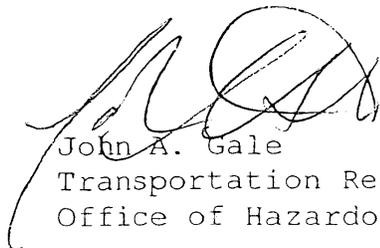
A1. The answer is yes. Provided all of the applicable conditions under § 173.6 are met, the MOTs exceptions would be applicable to the above specified scenario.

Q2. Would the MOTs exception apply to the carriage of hazardous materials in a Qualex vehicle from the Qualex distribution center to a client site.

A2. See the answer to Question 1.

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

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



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