



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

FEB 21 2013

Mr. Jeff Grossmann
Vice President Engineering
ATDynamics, Inc.
3150 Corporate Place
Hayward, CA 94545

Reference No.: 13-0005

Dear Mr. Grossmann:

This is in response to your December 31, 2012 email, and follow up conversations with a member of my staff, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You provide a picture of a highway trailer with "boat tail" extensions installed. You ask for confirmation that the placard placement shown in the pictures and diagrams is compliant with § 172.516. You also ask if there are additional mounting locations that could be deemed suitable.

Placards are required to be clearly visible from the direction they face by § 172.516(a). From the pictures you have submitted it appears your placard placement meets this requirement. Placards are also required by 172.516(b)(2) to be located clear of appurtenances and devices such as ladders, pipes, doors, and tarpaulins. While the placement of the placards shown are clear of such appurtenances and devices; extra care may need to be taken during placard application to ensure placards are not obscured by appurtenances such as door handles or the "boat tail" itself.

Due to variations in truck design and appurtenance locations it is impossible to validate most options as suitable for all trucks. Any location that satisfies the conditions of § 172.516 is suitable for placard placement.

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

Webb
3172.516

Drakeford, Carolyn (PHMSA)

From: Billings, Delmer (PHMSA)
Sent: Monday, December 31, 2012 12:59 PM
To: Drakeford, Carolyn (PHMSA)
Cc: Bomgardner, Paul (FMCSA)
Subject: Fw: Boat tail compliance with hazard placards
Attachments: Hazard Placard Placement Clarification for Boat Tails.pdf

Placarding
13-0005

Carolyn

Please log and assign for response.

Thanks

Del

From: Bomgardner, Paul (FMCSA)
Sent: Monday, December 31, 2012 11:07 AM
To: Billings, Delmer (PHMSA)
Subject: FW: Boat tail compliance with hazard placards

Del:

This gentleman and I have been trading emails regarding placement of placards on the rear of trailers equipped with what he calls a "boat tail" used for wind displacement. The attached document shows the placement of placards on the rear of the trailer at various angles. It is my opinion that the depicted placement of the various placards meet the requirements of 49 CFR section 172.516.

Mr. Grossmann is requesting a "formal" letter on this so that he can proceed with equipping Con-Way vehicles with the boat tail. My question is: since this is an interpretation, will you guys write the letter, or do you want me to do it? I am okay with either way. Just let me know.

Thanks, and Happy New Year,
Paul

From: Jeff Grossmann [mailto:jgrossmann@atdynamics.com]
Sent: Sunday, December 30, 2012 12:03 PM
To: Bomgardner, Paul (FMCSA)
Subject: RE: Boat tail compliance with hazard placards

Hi Paul,

After our conversation earlier this month, I reworked the hazard placard locations for which we are requesting an official clarification (see attachment). We hope that these locations are straight-forward enough to enable a short, but official, letter to be drafted in January to satisfy Con-way Truckload's immediate request regarding their trailers.

Thanks again for your guidance thus far. I have in my notes that you'll be forwarding this to PHMSA – is there anything else you need from me in the meantime and should I follow up directly with you or a specific person at the PHMSA?

Best regards and Happy (what's left of your) Holidays,
Jeff

From: paul.bomgardner@dot.gov [mailto:paul.bomgardner@dot.gov]

Sent: Tuesday, December 18, 2012 5:58 AM

To: jgrossmann@atdynamics.com

Subject: RE: Boat tail compliance with hazard placards

Jeff:

I am in the office today, and 11:00 a.m. would work. In the meantime, I have reviewed the drawings and have the following to offer:

1. The HM Regulations merely state in section 172.516 that placards must be visible from the direction it faces (except in cases of trailers and semi-trailers when the front or rear placards are on surfaces facing another vehicle).
2. In your case, it appears that from directly behind the vehicle, the placards are all visible. It is not until the 5 degree position that placard number 2 begins to disappear from view. Positions 1 and 3 remain visible throughout the range.
3. It is therefore, my opinion, that placard placement number 2 be reconsidered and be moved to a position on the rear of the trailer closer in line with numbers 1 and 3.

With that said, I have a few questions:

1. When standing behind the trailer, or sitting in a car, does the extension below placard 1 hide it from view?
2. How many placard holders are going to be placed on the rear of the trailer?
3. Do you have any real-life pictures of the boat tail on a trailer?

One last thing: While some companies mount their trailer placards below the trailer and above the underride bar, this is not really optimal due to dirt and debris that might be kicked up. However, years ago, it was argued by ATA that this placement is no more susceptible to dirt and debris than a placard on the rear doors, due to the way air/rain circulates when the vehicle is in motion.

I hope this helps, and if you still need to discuss, let me know.

Regards,
Paul

From: Jeff Grossmann [mailto:jgrossmann@atdynamics.com]

Sent: Monday, December 17, 2012 11:20 AM

To: Bomgardner, Paul (FMCSA)

Subject: Boat tail compliance with hazard placards

Hi Paul,

I believe that Luke Loy mentioned me and our request for some assistance in clarifying rear hazard placard compliance on Class 8 vehicles with trailers and boat tails. Is there a good time this week to talk? Anytime between 11 AM and 2:30 PM on Tuesday or Wednesday would work great for me.

Best regards,
Jeff

P.S. Attached is a brief overview of sample placard locations – I believe Luke showed this to you last week.

Jeffrey J. Grossmann
VP Engineering

ATDynamics, Inc.

Tel: 973-886-2504

Email: jgrossmann@atdynamics.com

www.atdynamics.com

This e-mail, and any attachment to it, contains privileged and confidential information intended only for the use of the individual or entity named on the e-mail. If the reader of this e-mail is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that reading, disseminating or using any of the information contained herein is strictly prohibited. If you have received this e-mail in error, please immediately return it to the sender and delete it from your system. Thank you.