



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Transportation/Hazardous Materials: U.S. Pipeline and Hazardous Materials Safety Administration Addresses § 172.506(a)(Providing Hazardous Materials Placards to Motor Carriers)

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The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed a Hazardous Materials Regulation ("HMR") provision which requires hazardous materials placards to be provided to motor carriers.

The question was posed by DuBois Chemicals, Inc. ("DuBois") in a September 6th email to PHMSA.

Section 172.506(a) addresses providing hazardous materials placards to motor carriers.

The December 9th PHMSA response first discussed the meaning of "provide" as it is enforced in § 172.506(a). PHMSA stated:

The HMR do not define the word "provide." However, according to conventional resources, such as the Merriam-Webster Dictionary, it means "to make something available" and "to give something wanted or needed to someone or something.

PHMSA then considered whether § 172.506(a) requires those who offer hazardous materials to:

1. Physically hand placards to motor carrier drivers or present them along with the shipping papers before or at the time the hazardous material is offered for transportation; or
2. have placards readily available and accessible in organized files for carriers to pick up as needed.

DuBois had also asked which manner meets "provide" as enforced.

PHMSA responded by stating:

Section 172.506(a) specifies that the placards are to be offered to a motor carrier prior to or at the same time a hazardous material is offered for transportation, but it does not specify how they are to be made available. Therefore, the offeror may use any method that meets the requirements in § 172.506(a). It is the opinion of this Office that the following examples comply with this requirement: the offeror (1) physically hands applicable placards to the motor carrier; (2) physically applies applicable placards to the container/vehicle; or (3) makes applicable placards available to the motor carrier in a manner such that the motor carrier can apply them to the appropriate container/vehicle as required under the HMR.

[A copy of the December 9th letter can be downloaded here.](#)