



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

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

JUN 14 2000

Ms. Dianne Bechtold
Place Quick, Inc.
P.O. Box 68091
Schaumburg, IL 60168-0091

Ref. No. 00-0164

Dear Ms. Bechtold:

This is in response to your letter dated June 1, 2000, concerning use of certain reflective materials on transport vehicles to communicate hazard warnings specified in the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180).

Except for hazard warning labels, placards, and orange panels that must conform to certain color tolerances, general marking requirements in § 172.304(a) of the HMR are prescribed as a performance standard. For example, markings must be durable, in English, displayed on a background of sharply contrasting color, and located away from any other marking that could substantially reduce its effectiveness. With respect to your inquiry concerning the display of a proper shipping name or an appropriate common name on a cargo tank, as specified in § 172.328(b), we believe that requirement may be satisfied through the use of red and white reflective material. The application of this marking in a 4" x 12" rectangle would not be prohibited under provisions of § 172.502(a).

If changes to the HMR for labels, placards and other hazard warning instruments constructed of reflective materials are adopted, those changes would be in the form of rules of general applicability. Thus, I must inform you that a grant of exclusive rights to Place Quick, Inc. for the manufacture of labels and placards made from materials proposed in your petition is not a possibility.

I hope this information is helpful.

Sincerely,

for Thomas G. Allen
Edward T. Mazzullo

Director, Office of Hazardous
Materials Standards



000164

172.519

PLACE
QUICK, INC.

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Allen
§ 172.519
00-0164

June 1, 2000

Dear Mr. Mazzullo,

Thank you for your response to my letter dated February 28, 2000 regarding the Diamond Grade plaquards.

I am glad to see that a rulemaking session has been added to your agenda concerning this matter. It has been almost five years since I asked for an exemption in manufacturing this item. I will however be very dissappointed should it be passed and I do not receive exclusive rights for an extended specific period of time. If it had not been for my diligence in pursuing this matter, it may never have been considered for adoption into the specifications.

I would appreciate being given an exemption or exclusive rights (for an extended period of time) after a decision has been made. I would hate to feel that five years of my life have been wasted pursuing this exemption, only to have the large companies step in with their mass production leaving me with a stack of letters and nothing to show for my efforts.

While we are awaiting the rulemaking session, I propose another question. If a rectangle, perhaps 4 inches high and 12 inches wide, made of red and white diamond grade (just like the conspicuity tape) lettered with a word such as "PROPANE" were applied to the side of designated trucks, be considered an intrusion on the plaquards? I feel they would no more interfere with the plaquards as would the large company logos applied to every truck. Please consider this option and reply in a timely matter so that I can answer to my customers who have repeatedly asked me to make such signs for their fleets.

I await your prompt reply.

Sincerely:

Dianne Bechtold
Dianne Bechtold
President
630-483-4041

cc: Illinois Senator Durbin
Illinois Senator Crane
Tom Allen Haz-Mat

MEMBER FEMALE BUSINESS ENTERPRISE (MAFBE)