

October 1, 1999

Mr. Raymond K. Barwin
5537 37 Mile Rd.
Romeo, Michigan 48065

Ref. No. 99-0197

Dear Mr. Barwin:

This is in response to your letter dated July 9, 1999, concerning the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to fireworks sold and transported for personal, non-commercial use.

Under Federal hazardous materials transportation law (49 U.S.C. 5101 et seq.), the Secretary of Transportation has authority to promulgate regulations to protect the Nation against risks inherent in the transportation of hazardous materials in commerce. The HMR govern the transportation of hazardous materials in interstate, foreign, and intrastate commerce. The transportation of fireworks that are sold to customers for personal, non-commercial use and transported by such persons in their personal vehicles is not subject to the HMR. Although such shipments are not subject to the HMR, they may be subject to certain state or local requirements.

If you need further assistance on the HMR, please feel free to contact us at 1-800-467-4922.

Sincerely,

Thomas G. Allan
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards

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