



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

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

JUN 8 1993

Mr. John A. Conkling  
Executive Director  
American Pyrotechnics Association  
P.O. Box 213  
Chestertown, MD 21620

Dear Mr. Conkling:

This is in response to your letter dated April 2, 1993, 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 the authority of the Hazardous Materials Transportation Act (HMTA), 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 regulations promulgated under the HMTA, the HMR, govern the transportation of hazardous materials in interstate, foreign, and certain intrastate commercial movements. See enclosed pamphlet. Therefore, fireworks that are sold to customers for personal, non-commercial use and transported by such persons in their personal vehicles are 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.

Sincerely,

*for Thomas D. Allen*  
Edward T. Mazzullo

Director, Office of Hazardous  
Materials Standards

Enclosure