

RHODE ISLAND DEPARTMENT OF TRANSPORTATION  
RULES AND REGULATIONS REQUIRING LIABILITY  
INSURANCE AND SAFETY MARKINGS ON  
PETROLEUM DELIVERY VEHICLES BEFORE  
REGISTRATION PURSUANT TO  
RHODE ISLAND GENERAL LAWS CHAPTER 47-8-7

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1.0 PURPOSE, SCOPE AND AUTHORITY

1.1 Purpose: The purpose of these Rules and Regulations is to prescribe the conditions under which the Rhode Island Department of Transportation, Division of Motor Vehicles will accept registration applications from petroleum products delivery vehicles.

1.2 Scope: All owners of vehicles used to transport petroleum products for purposes of resale are governed by these Rules and Regulations.

1.3 Authority: The following Rules and Regulations are promulgated to administer Chapter 47-8 of the Rhode Island General Laws, and supercede all previous Rules and Regulations adopted heretofore.

2.0 POLICY

- 2.1 In order to protect the safety and welfare of the general public, it is the official policy of the Rhode Island Department of Transportation to regulate the registration of all vehicles involved in the transportation of petroleum products for purposes of resale, and to limit the acceptance of registration applications for such vehicles.

- 3.0 Definitions: except as otherwise indicated, the following definitions shall apply.
- 3.1 Applicant: any individual, firm, corporation or partnership or agency, public or private, that has filed an application for registration of a petroleum delivery vehicle.
- 3.2 Certification: proof of liability insurance on Rhode Island Form GU 1338A or Rhode Island Form DMV-1.

#### 4.0 REGISTRATION OF PETROLEUM TRANSPORTATION VEHICLES

- 4.1 Every person making application for registration of a vehicle carrying petroleum products must supply to the Division of Motor Vehicles certification, on Rhode Island Form GU-1338A or Rhode Island Form DMV-1, of a liability insurance policy in the amount of two million dollars (\$2,000,000). Provided, however, that a petroleum delivery vehicle owner may provide certification that he is self-insured in the amount of two million dollars (\$2,000,000) on said form.

Said insurance policy shall be comprehensive in nature and include coverage for underground or above-ground environmental contamination due to leakage or discharge of petroleum product.

- 4.2 Every person making application for a vehicle registration or renewal of all vehicle registration of any vehicle used in the transportation of petroleum products must comply with Section 397.21 of the Federal Motor Carriers Safety Regulations for the transportation of hazardous materials (Code of Federal Regulations, Title 49, Section 397.21) entitled "Markings of Vehicles Operated by Private Carriers," prior to registration of said vehicle.

Section 397.21 of the Federal Motor Carriers Safety Regulations provides as follows:

- (a) General. A motor vehicle being operated by a private carrier of property must be marked as specified in paragraphs (b) and (c) of this section if that vehicle—

- (1) Is transporting hazardous materials of a kind or quantity that require the vehicle to be marked or placarded in accordance with Section 177.823 of this title; and
- (2) Is operating under its own power, either alone or in combination.

- (b) Nature of marking. The marking must display the following information:

- (1) The name or trade name of the private carrier operating the vehicle.
- (2) The city or community and State abbreviation, in which the carrier maintains its principal office or in which the vehicle is customarily based.
- (3) If the name of a person other than the operating carrier appears on the vehicle, the words "operated by" immediately preceding the information required by paragraphs (b) (1) and (2) if this section.

- (4) Other identifying information may be displayed on the vehicle if it is not inconsistent with the information required by this paragraph.
- (c) Size, shape, location, and color of marking. The marking must—
  - (1) Appear on both sides of the vehicle.
  - (2) Be in letters that contrast sharply in color with the background.
  - (3) Be readily legible during daylight hours from a distance of 50 feet while the vehicle is stationary; and
  - (4) Be kept and maintained in a manner that retains the legibility required by paragraph © (3) of this section. The marking may consist of a removable device if that device meets the identification and legibility requirements of this section.

Section 177.823, to which reference is made in Section 397.21, provides as follows:

- (a) A carrier may not move a transport vehicle containing a hazardous material unless the vehicle is marked and placarded in accordance with Part 172 of this subchapter, or unless, in an emergency—
  - (1) The vehicle is escorted by a representative of a state or local government;
  - (2) The carrier has permission from the Department; or—
  - (3) Movement of the transport vehicle is necessary to protect life or property.

- 4.3 The Deputy Director for Motor Vehicles shall deny and refuse the application of any person subject to these rules and regulations who has not supplied the Division of Motor Vehicles with certification of liability insurance on the forms prescribed herein, or who has not complied with Section 397.21 of the Federal Motor Carriers Safety Regulations.

5.0 REVOCATION OF PETROLEUM TRANSPORTATION VEHICLE REGISTRATIONS

- 5.1 The Deputy Director for Motor Vehicles shall revoke the vehicle registration on any vehicle subject to these rules and regulations if the liability insurance coverage required by Rhode Island General Laws Section 47-8-7 and these rules and regulations is cancelled, suspended or terminated.
- 5.2 Failure to comply with the identification markings required for petroleum transportation vehicles shall be cause for immediate cancellation of such vehicle's registration and license plates by the Deputy Director for Motor Vehicles.
- 5.3 Any revocation of registration and/or license plates shall be carried out in accordance with the procedures for revocation of registration and/or license plates of other vehicles

6.0 REISSUANCE OF REGISTRATION REVOKED UNDER THESE RULES AND REGULATIONS

- 6.1 The reissuance of any registrations and license plates following revocation for failure to comply with these rules and regulations shall be subject to a fee of fifty dollars (\$50.00) per vehicle.

7.0 SEVERABILITY

- 7.1 If any provision of these rules and regulations or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of the rules and regulations which can be given effect, and to this end the provisions of these rules and regulations are declared to be severable.

8.0 EFFECTIVE DATE

These rules and regulations shall become effective twenty (20) days after filing with the Office of Secretary of State.

I hereby certify the above to be a true copy.

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Joseph Pezza  
Director

Date:

Filed with the Office of the Secretary of State: April 1, 1985

