



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

April 29, 2025

Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance
99 M Street SE, Suite 1025
Washington, DC 20003

Dear Mr. Mooney:

This letter acknowledges receipt of your April 22, 2025 petition for rulemaking requesting changes to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to lithium batteries. Specifically, your petition requests that the Pipeline and Hazardous Materials Safety Administration (PHMSA) consider potential HMR and Emergency Response Guidebook (ERG) revisions for the transportation of lithium batteries. You request that PHMSA consider: reclassification of lithium batteries from a Class 9 miscellaneous hazardous material to a Division 4.3 Dangerous When Wet material, thus requiring registration under § 107.601(d) for bulk shipments of lithium batteries; expanding the 30% maximum state of charge capacity threshold for air transportation to all transportation modes; working with the Federal Motor Carrier Safety Administration (FMCSA) to amend the Federal Motor Carrier Safety Regulations to require drivers to obtain a hazardous materials endorsement on their commercial driver's license for lithium battery shipments; revising § 172.504(f)(9) to exclude lithium batteries from taking the placarding exception for Class 9 materials; requiring the inclusion of a declaration of the number of watt-hours of a lithium ion battery on a shipping paper or—as an alternative—a marking on the packaging of a lithium ion battery shipment; and updating the ERG to more comprehensively address incidents involving “UN3536, Lithium batteries installed in cargo transport unit” or other bulk movements of lithium batteries.

Your request has been assigned Petition Number P-1801 (Docket No. PHMSA-2025-0041). This number is for tracking purposes only. In accordance with § 106.105, PHMSA will assess your petition and determine whether it merits consideration in a future rulemaking. In your efforts to contact PHMSA regarding this issue, please refer to Petition Number P-1801. If you have any questions, please contact me at (202) 366-5162.

Sincerely,

Noah Jacobson
Transportation Regulations Specialist
Office of Hazardous Materials Safety