

## § 178.337-18 Certification.

(a) At or before the time of delivery, the cargo tank motor vehicle manufacturer must supply and the owner must obtain, a cargo tank motor vehicle manufacturer's data report as required by Section VIII of the ASME Code (IBR, see §171.7 of this subchapter), and a certificate stating that the completed cargo tank motor vehicle conforms in all respects to Specification MC 331 and the ASME Code. The registration numbers of the manufacturer, the Design Certifying Engineer, and the Registered Inspector, as appropriate, must appear on the certificates (see subpart F, part 107 in subchapter A of this chapter).

(1) For each design type, the certificate must be signed by a responsible official of the manufacturer and a Design Certifying Engineer; and

(2) For each cargo tank motor vehicle, the certificate must be signed by a responsible official of the manufacturer and a Registered Inspector.

(3) When a cargo tank motor vehicle is manufactured in two or more stages, each manufacturer who performs a manufacturing function or portion thereof on the incomplete cargo tank motor vehicle must provide to the succeeding manufacturer, at or before the time of delivery, a certificate that states the function performed by the manufacturer, including any certificates received from previous manufacturers, Registered Inspectors, and Design Certifying Engineers.

(4) *Specification shortages.* When a cargo tank motor vehicle is manufactured in two or more stages, the manufacturer of the cargo tank must attach the name plate and specification plate as required by §178.337-17(a) and (b) without the original date of certification stamped on the specification plate. Prior manufacturers must list the specification requirements that are not completed on the Certificate of Compliance. When the cargo tank motor vehicle is brought into full compliance with the applicable specification, the cargo tank motor vehicle manufacturer must have a Registered Inspector stamp the date of certification on the specification plate and issue a Certificate of Compliance to the owner of the cargo tank motor vehicle. The Certificate of Compliance must list the actions taken to bring the cargo tank motor vehicle into full compliance. In addition, the certificate must include the date of certification and the person (manufacturer, carrier or repair organization) accomplishing compliance.

(5) The certificate must state whether or not it includes certification that all valves, piping, and protective devices conform to the requirements of the specification. If it does not so certify, the installer of any such valve, piping, or device shall supply and the owner shall obtain a certificate asserting complete compliance with these specifications for such devices. The certificate, or certificates, will include sufficient sketches, drawings, and other information to indicate the location, make, model, and size of each valve and the arrangement of all piping associated with the cargo tank.

(6) The certificate must contain a statement indicating whether or not the cargo tank was postweld heat treated for anhydrous ammonia as specified in §178.337-1(f).

(b) The owner shall retain the copy of the data report and certificates and related papers in his files throughout his ownership of the cargo tank motor vehicle and for at least one year thereafter; and in the event of change in ownership, retention by the prior owner of nonfading photographically reproduced copies will be deemed to satisfy this requirement. Each motor carrier using the cargo tank motor vehicle, if not the owner thereof, shall obtain a copy of the data report and certificate and retain them in his files during the time he uses the cargo tank motor vehicle and for at least one year thereafter.

[Order 59-B, 30 FR 583, Jan. 16, 1965. Redesignated at 32 FR 5606, Apr. 5, 1967]

**Editorial Note:** For Federal Register citations affecting §178.337-18, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.