



Illinois Department of Transportation

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August 16, 1993

FHWA Docket No. WC 92-4
Room 4232, HCC-10
Office of the Chief Counsel
Federal Highway Administration
400 Seventh Street, S.W
Washington, D.C. 20590

FHWA-97-2180-46

Ladies and Gentlemen:

The Illinois Department of Transportation (IDOT) submits the following comments in response to the Federal Highway Administration's proposed rulemaking entitled "Federal Motor Carrier Safety Regulations; Transportation of Hazardous Materials" published in the June 17, 1993, Federal Register.

This proposed rulemaking would require interstate and intrastate carriers of certain high risk hazardous materials to obtain a safety permit to qualify to transport these materials. The basis for the permit would be a satisfactory safety rating issued by US DOT. The impact on Illinois carriers would be that intrastate carriers subject to the permit requirements would need to demonstrate compliance with the Federal Motor Carrier Safety Regulations (FMCSR) and obtain a satisfactory rating through a safety review. These carriers would become subject to all of the FMCSRs (49 CFR, Parts 350-399, which includes Part 387 - Financial Responsibility).

The major impact to Illinois motor carriers and some small businesses will be the cost of obtaining the appropriate financial responsibility insurance. According to a local insurance company, an average cost for the minimum \$5 million liability insurance per vehicle required by Part 387 could be as high as \$5,000 per year for these high risk hazardous materials.

The proposed rulemaking indicates that initially there will be no fee assessed for the safety permit and the duration of the permit will be three years. The proposed rulemaking states that after an appropriate evaluation the permit process may be fee based and may be extended to other classes or categories of hazardous materials.

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The safety permit is designed to enhance transportation safety by allowing only those carriers with demonstrated compliance and appropriate insurance to carry these high risk hazardous materials. Shippers would be required to determine if a carrier is properly permitted prior to offering the materials for transportation and the permit number will be recorded on the shipping papers accompanying the hazardous materials.

Due to the potential for increased transportation safety as a result of this proposal, IDOT supports the proposed rulemaking. Thank you for the opportunity to comment on this notice.

Sincerely,



Kirk Brown
Secretary