



NATIONAL AUTOMOBILE DEALERS ASSOCIATION  
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**Legal & Regulatory Group**

Docket Office  
 Office of the Chief Counsel (HCC-10)  
 Federal Highway Administration (FHWA)  
 Room 4232  
 400 Seventh Street, SW  
 Washington, DC 20590

*QA-20674*

*FHWA-97-2299-53*

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 LEGS./REGS. DIV.

ADMINISTRATION

RE: Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties; 49 CFR Parts 361, 362, 363, 364, 385, 386, and 391; Docket No. MC-96-18.

Ladies and Gentlemen:

The American Truck Dealers Division (ATD) of the National Automobile Dealers Association (NADA) represents 2,100 heavy and medium duty truck dealers. ATD members primarily engage in the retail sale of new and used trucks and highway tractors, foreign and domestically produced. ATD members also engage in truck service, repair and parts sales.

Earlier this year the FHWA issued a notice proposing to amend a number of its procedural rules and regulations. 61 Fed. Reg. 18866, et seq. (April 29, 1996). The proposal specifically addresses an array of issues involved with the Agency's general authority, safety ratings program, and enforcement procedures.

ATD is generally supportive of the FHWA's proposals since, in large part, they should allow motor carriers (including truck dealerships) to better understand the FHWA's procedures. Several proposed changes, such as those to the rules governing safety fitness rating, will improve the fairness of the Agency's procedures. It also appears that by effectively streamlining certain rules, the FHWA will be acting in a manner consist with the goals and objectives of its zero-based regulatory review.

On behalf of ATD, I thank the FHWA for the opportunity to comment on this matter.

Respectfully submitted,

Douglas I. Greenhaus  
 Director, Environment, Health and Safety

DOCKET MC-96-18-53  
 PAGE 1 OF 1