[**YOUR COMPANY’S LETTERHEAD**]

November XX, 2018

The Honorable Raymond Martinez
Administrator
Federal Motor Carrier Safety Administration

U.S. Department of Transportation

1200 New Jersey Avenue, SE

Washington, DC 20590-0001

RE: **Docket No. FMCSA-2012-0103, Lease and Interchange of Vehicles: Motor Carriers of Passengers**

Dear Administrator Martinez:

On behalf of [**YOUR COMPANY NAME**], we wish to submit comments on the Federal Motor Carrier Safety Administration’s (FMCSA’s) “Lease and Interchange of Vehicles; Motor Carriers of Passengers Notice of Proposed Rulemaking (L&I rule), Docket No. FMCSA-2012-0103”. At the same time, we also ask you to immediately extend the compliance date for the current L&I rule until this revision NPRM is finalized. The Agency has extended the compliance date multiple times before and should do so now to allow for time these revisions to be finalized. If you do not act to extend the compliance date by January 1, our business will be placed in a very difficult situation trying to conduct operations. This is the very reason that we asked you to reconsider the 2015 final rule in the first place.

Our company, **[…DESCRIBE YOUR COMPANY AND OPERATIONS, INCLUDING FLEET SIZE, TYPE OF OPERATION(S) AND ISSUES YOU FACE IF THE CURRENT RULE GOES INTO FORCE]**.

We know FMCSA has reached out to the passenger-carrying motor coach industry multiple times since the 2015 rule was finalized, and we appreciate the Agency now taking this step to make revisions. We agree with the changes FMCSA is proposing and hope the Agency will take swift action now to finalize them.

**[INCLUDE THE FOLLOWING COMMENTS, AS APPROPRIATE, TO YOUR BUSINESS INTERESTS]**

**Lease Definition**
Specifically, we agree with FMCSA’s proposed change to exclude chartering from the definition of a lease. This change recognizes that each operator is responsible for its own operating authority and should be held accountable for it, regardless if it partners with another for a business opportunity. Also, it will help FMCSA to target its enforcement authority and resources toward those operators who are trying to skirt the law and avoid compliance, which poses a real safety concern**. [If applicable, add your own examples of how this requirement under the current 2015 L&I rule would be overly burdensome to your company.]**

**Markings**
We also agree with FMCSA restoring the marking requirements to the provisions in place before the 2015 L&I rule was finalized. If FMCSA is going to limit the lease requirements to those carriers who want to operate without operating authority, then there is no need to change the marking requirements that were in place for operators with operating authority in good standing. Again, FMCSA should limit changing the regulations to those situations where there is a real safety concern due to an operation involving a carrier operating without operating authority in good standing. **[If applicable, add your own examples of how this requirement under the current 2015 L&I rule would be overly burdensome to your company.]**

**24-Hour Notification**

We also agree with FMCSA’s proposal to remove the 24-hour lease notification requirement when a motor carrier hired to provide charter transportation then subcontracts the work to another operator. The requirement would be very difficult to comply with in a real situation because it is not always possible to track down the entity arranging the transportation in advance, let alone within a 24-hour window. It’s simply impractical and would not add any additional safety benefit. It is better to ensure that each operator involved in the move has operating authority in good standing, or a lease agreement in place subject to the proposed revisions in this NPRM. **[If applicable, add your own examples of how this requirement under the current 2015 L&I rule would be overly burdensome to your company.]**

**48-Hour Lease Delay Exception**
We also agree with the change to extend the exception to allow delayed writing of a lease in emergency situations , including when no passengers are on a vehicle. The exception under the 2015 L&I rule was confusing, and there was no reason to distinguish between having passengers on the vehicle or not. The change proposed by FMCSA provides added flexibility for emergency situations, which by definition are not planned for and require special exceptions in order to ensure the safety of passengers. **[If applicable, add your own examples of how this requirement under the current 2015 L&I rule would be overly burdensome to your company.]**

Again, [**YOUR COMPANY NAME**] appreciates FMCSA listening to the concerns raised by our industry about the 2015 L&I rule and the changes FMCSA is proposing in this NPRM to address the concerns. We only ask now that you immediately extend the compliance date with the current rule to allow for these proposed changes to be finalized and take effect. I am happy to answer any questions you may have about our comments. Thank you.

Sincerely,

[YOUR SIGNATURE & PRINTED NAME]