

August 23, 2022



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PUBLIC  
TRANSPORTATION  
ASSOCIATION**

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**APTA.COM**

Department of Transportation  
Docket Operations  
M-30, West Building Ground Floor, Room W12-140  
1200 New Jersey Avenue S.E.  
Washington, DC 20590

Subject: Docket No. DOT-OST-2022-0051  
RIN 2105-AE98

Dear Docket Clerk:

The American Public Transportation Association (APTA) represents an \$80 billion industry that directly employs 450,000 people and supports millions of private-sector jobs. We write to you today to request a 30-day extension of the comment period for the notice of proposed rulemaking (NPRM) for Disadvantaged Business Enterprise and Airport Concession Disadvantaged Business Enterprise Program Implementation Modifications published in the *Federal Register* July 21, 2022, at 87 FR 43620.

**Request for Extension of Comment Period**

APTA members applaud DOT's effort in comprehensively reviewing the Disadvantaged Business (DBE) program, an effort that is long overdue. APTA represents both public transit agencies and businesses that have a significant interest in, and are involved in all aspects of, the DOT's 49 C.F.R. Part 26 DBE program.

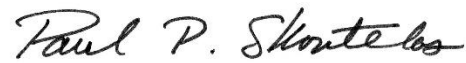
While we understand that many of the proposed changes are in direct response to constituent comment, our members have expressed concern about the complexity of the changes and the addition of myriad new requirements that could negatively impact their businesses or operations. In particular, our members have raised concerns that some of the changes may prove to be overly complicated and may not serve to address the Department's stated goals. Such complex changes require careful consideration and an in-depth impact analysis. APTA has convened meetings of its members to undertake a comprehensive review of the proposal to gather information on those impacts and, where necessary, provide alternatives to better reflect the environment in which our public transit agencies and business members operate.

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Given the length and complexity of the DOT's DBE NPRM and the accompanying Regulatory Impact Analysis, and the issuance of the proposal during the busy summer season, APTA respectfully requests an additional 30 days so that its members can complete their review and provide substantive comments to the significant changes proposed to the DBE program.

If you have any questions regarding this letter, please contact APTA's General Counsel, Linda Ford at [lford@apat.com](mailto:lford@apat.com) or (202) 496-4808.

Sincerely,

A handwritten signature in black ink that reads "Paul P. Skoutelas". The signature is written in a cursive, flowing style.

Paul P. Skoutelas  
President and Chief Executive Officer