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DEPT OF TRANSPORTATION

**NEW MEXICO PROPANE GAS ASSOCIATION
9631 NORTH 4TH STREET NW
ALBUQUERQUE, NEW MEXICO 87114**

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May 10, 2000

Mr. Robert McGuire
Acting Associate Administrator for Hazardous Materials Safety
Research and Special Programs Administration
U.S. Department of Transportation
400 7th St. SW
Washington, DC 20590-0001

RE: Application for Preemption of New Mexico "LPG and CNG Act" by the
American Trucking Association and Utah based Basin Western Trucking.

Dear Mr. McGuire:

I have been aware of the ongoing request for Determination for some weeks and would like to express my concern for the need for the "Rules and Regulations" of New Mexico.

The New Mexico law makers and committees made up of legislators and Businessmen from across the state gave a great amount of thought and expertise In formulating the regulations that are being contested in the application for Preemption. We would request that you not remove the ability of our LP gas Enforcement officers to do their jobs in making New Mexico a safer place For all of us to live and conduct our businesses.

We agree with the regulations being enforced and would not want them To be preempted for others.

We also agree with the concept of reciprocity in many areas. Maybe That could be explored.

Your consideration for the disruptions in all areas of enforcement in Our states that such a Preemption request could cause would be greatly Appreciated.

Yours truly,



Clifton Tuggle, President