



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

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# Memorandum

Subject: Ex Parte Communication with ATA

Date:

From: R. Ryan Posten  
Associate Administrator  
for Rulemaking

To: Docket No. NHTSA-2023-0012

Through: Terrence Sommers  
Assistant Chief Counsel  
for Vehicle Standards & Harmonization

On February 14, 2023, at the request of American Trucking Associations (ATA), the Office of Information and Regulatory Affairs (OIRA) had an [Executive Order 12866 meeting](#) with ATA representatives via teleconference regarding the Advance Notice of Proposed Rulemaking, “Side underride guards on trailers and semitrailers,” RIN:2127-AM54. U.S. Department of Transportation (DOT) staff were also present at this teleconference meeting. ATA representatives discussed engineering and operational challenges associated with side underride guards on trailers and requested DOT to complete the necessary research on side underride guards mandated by the Bipartisan Infrastructure Law before proceeding to the proposal stage of the rulemaking.

**Attendees:**

**ATA representatives:** Dan Horvath, Kevin Grove, and Dan Sullivan.

**OIRA attendees:** Chandana Achanta, Swati Patel, and Anna Setzer.

**DOT attendees:** Tim Mullins and Shashi Kuppa.

Please submit this memorandum to Docket No. NHTSA-2023-0012.

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