

## Reiner Kahn - Comments

Document FMCSA-2010-0286-  
ID: 0002

This is comment on [PROPOSED RULE: Agency Information Collection Activities; Proposals, Submissions, and Approvals: Request Revocation of Authority Granted](#)

Docket [FMCSA-2010-0286](#)  
ID:

Topics *No Topics associated with this document*

» Name

[Hide Details](#)

First Name  
Title  
Middle Name  
Last Name  
Mailing Address  
City  
Document Type  
Country  
Document Sub-Type  
State or Province  
Postal Code  
Organization/ Org Unit  
Submitter's Representative  
Author/ Document Date  
Received/Filing Date  
Date Posted  
Comment Start Date  
Comment Due/Reply Date  
Page Count



## Attachments



**As of:** November 09, 2010

**Tracking No.** 80b3a762

**Comments Due:** October 25, 2010

Late comments are accepted

## PUBLIC SUBMISSION

**Docket:** [FMCSA-2010-0286](#)

Notice of Request to Revise a Currently-Approved Information Collection: Request for Revocation of Authority Granted

**Comment On:** [FMCSA-2010-0286-0001](#)

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Request for Revocation of Authority Granted

**Document:** [FMCSA-2010-0286-0002](#)

Fritz Reiner Kahn - Comments

---

### Submitter Information

**Name:** Fritz Reiner Kahn

**Address:**

1920 N Street, N.W. (8th floor)

Washington, DC, 20036

**Submitter's Representative:** Fritz R. Kahn, owner

**Organization:** Fritz R. Kahn, P.C.

---

### General Comment

Form OCE-46 fulfills an important need and by no means should be revoked. Affiliated motor carriers in order to effect corporate simplification may want to relinquish the operating authority of one of the motor carriers. The motor carrier can do so quickly and inexpensively by submitting Form OCE-46 to FMCSA, retaining a copy for its files. If there were no Form OCE-46, the motor carrier, of course, could cease paying the premium for its bodily injury and property damage insurance, whereupon FMCSA eventually would suspend or revoke the motor carrier's authority to operate. That carries with it an undesirable connotation, suggesting that the company lacked sufficient funds to pay the insurance policy premiums. On the FMCSA's web page, the motor carrier would be shown as being inactive, whereas the motor carrier should be shown as having chosen to cease engaging in the for-hire transportatin business. Fifteen minutes to complete Form OCE-46 is not such a burden tht its revocation would have any real significance under the Paperwork Reductiion act of 1995.

---

## CURRICULUM VITAE

OF

FRITZ R. KAHN

Fritz R. Kahn is a lawyer with offices at 1920 N Street, NW (8<sup>th</sup> fl.), Washington, DC 20036, specializing in transportation regulatory matters. He represents shippers, governmental bodies, short line railroads and motor carriers before the Surface Transportation Board, the Federal Railroad Administration, Federal Motor Carrier Safety Administration and reviewing courts.

His work covers the entire gamut of STB's jurisdiction, including mergers and acquisitions, line extensions and abandonments, rates and services, declaratory order and rule making proceedings and the like, and before the FRA and FMCSA he principally defends those accused of having violated the agency's regulations.

Among his current clients are Natchez Railway, Potlatch Corporation, State of Illinois Department of Transportation, SMS Rail Services, Inc., V&S Railway. and BK Trucking Company.

Mr. Kahn has been identified and rendered reports as an expert witness in a variety of rail and motor carrier related cases. He is a Researcher for the Legal Knowledge Network and a Council Member of the Gerson Lehman Group.

Mr. Kahn is the founder and manager of Transportation Arbitration and Mediation, P.L.L.C., the body designated to arbitrate disputes of the Transportation Intermediaries Association and the Commodity Classification Standards Board of the National Motor Freight Association.

Now a solo practitioner, he was a partner for many years with Verner, Liipfert, Bernhard and McPherson, at the time Washington's foremost transportation law firm, subsequently merged into DLA Piper Rudnick & Gray Cary US LLP. Among other clients, he then represented were the Chicago and Northwestern Transportation Company, before its acquisition by Union Pacific Railroad Company, and Mobil Chemical Company, before its acquisition by Exxon Chemical Americas.

Mr. Kahn entered private practice after serving six years as the General Counsel of the Interstate Commerce Commission, predecessor of the Surface Transportation Board. In that capacity, among other things he argued two cases before the Supreme Court, Northern Lines Merger Cases, 396 U.S. 491 (1970), and Port of Portland v. United States, 408 U.S. 811 (1972).

Mr. Kahn is a member and a past President of the Association of Transportation Professionals, a member and a past General Counsel of the Transportation Research Forum, and a member of the American Society of Transportation Logistics and of the Transportation Lawyers Association.

He is a frequent contributor to transportation law journals, his most recent article being "Those Staid Stays", vol. 76, The Journal of Transportation Law, Logistics and Policy, no. 2, Second Quarter 2009.

Mr. Kahn is a Phi Beta Kappa and Omicron Delta Kappa graduate of the Columbian College of the George Washington University of Washington, DC, and an Order of the Coif and Law Review graduate of the University's National Law Center.