June 14, 2018

The Honorable Bill Shuster  
Chairman  
U.S. House Committee on Transportation and Infrastructure

The Honorable Peter DeFazio  
Ranking Member  
U.S. House Committee on Transportation and Infrastructure

Dear Chairman Shuster and Ranking Member DeFazio:

I write today on behalf of the American Trucking Associations (ATA) to express strong concern for, and opposition to, H.R.6079, the Transporting Livestock Across America Safely Act. This legislation, if enacted, would endanger our roads, bridges and motoring public, providing an environment where commercial motor vehicle (CMV) drivers could operate more than 24 hours straight, without rest, for the purpose of transporting livestock and insects. While ATA understands and appreciates that livestock and agricultural haulers are a unique sector of the industry, facing distinctive hours-of-service (HOS) challenges that rightly should be reviewed and safely addressed, this bill is a bridge too far, more than doubling the number of hours currently deemed safe for continuous commercial motor vehicle operation.

As you know, ATA is the largest national trade association representing the trucking industry, encompassing over 34,000 motor carriers and suppliers directly and through affiliated organizations. This includes ATA’s affiliate, the Agricultural & Food Transporters Conference, a very active and engaged conference within the association representing the interests of the agricultural and livestock communities. And despite the false assertions spread by some that ATA only represents “mega-carriers”, 77% of our membership is made up of a small carriers, and of those small carriers nearly half are fleets with less than 25 vehicles.

The Transporting Livestock Across America Safely Act runs in direct contradiction with its title, and would in no way allow for the safe transportation of livestock. Currently, the Federal Motor Carrier Safety Administration (FMCSA) regulations allow a driver a maximum of 11 hours driving before requiring a 10 hour off-duty break. H.R.6079 would provide a driver with the ability to drive more than 24 hours straight, more than double the current regulation. Additionally, under the Transporting Livestock Across America Safely Act a driver would be entirely exempt from HOS recording requirements until after that driver travels more than 300-air miles from their source.

ATA is very aware of the intricacies in transporting livestock, and does not deny the need for hours of service flexibility within these types of operations. Through ATA’s policy committees and associated trucking conferences, we have continually worked with carriers to address the needs of agricultural and livestock communities, with a shared goal of safe and effective flexibility in HOS regulations. ATA continues to work with FMCSA and members of Congress to address flexibility issues that would have a safe and meaningful impact on agricultural and livestock transporters. For instance, ATA has provided FMCSA with a list of HOS corrections, one of which would address flexibility with short-haul drivers, and provide a greater distance of allowed travel and time on-duty. Additionally, on February 20, 2018, ATA’s Agricultural and Food Transporters Conference sent a letter to FMCSA Deputy Administrator Cathy Gautreaux addressing a number of concerns specifically related to the transportation of livestock.
and agricultural commodities. Many of these concerns were addressed with FMCSA’s regulatory guidance released on May 31, 2018 on the transportation of agricultural commodities, including livestock.

More than 24 hours of straight driving is not safe in a car, and it is even less so while trying to keep 80,000 pounds of livestock on the road. This bill would allow truck drivers to stay behind the wheel for more than twice what they are permitted under the current HOS rules. It needlessly and recklessly jeopardizes the safety of people traveling our highways, prioritizing livestock over safety. Therefore, ATA urges Congress to reject this misguided legislation, and instead pursue efforts to safely and narrowly address HOS flexibility that we can all agree our livestock haulers would benefit from.

Thank you for your thoughtful consideration of this matter. We look forward to continuing to work closely with you, FMCSA, and the trucking industry in pursuit of common-sense and pro-safety adjustments to hours of service for commercial motor vehicle drivers.

Sincerely,

Bill Sullivan
Executive Vice President for Advocacy
American Trucking Associations

CC: U.S. House of Representatives