

June 8, 2021

The Honorable Peter DeFazio
Chairman
House Committee on Transportation &
Infrastructure
2134 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves
Ranking Member
House Committee on Transportation &
Infrastructure
2164 Rayburn House Office Building
Washington, DC 20515

Dear Chairman DeFazio and Ranking Member Graves,

The undersigned agricultural producer, commodity, agribusiness, food manufacturer and other food-related organizations thank you for your work and commitment in crafting your respective five-year surface transportation authorization bills. Our organizations commend you for bringing this important surface transportation legislation to mark-up well ahead of the expiration of the Fixing America's Surface Transportation Act and for increasing the funding for roads and bridges. However, we strongly oppose and discourage you from including Sec. 4408 that increases the minimum amount of insurance required for commercial motor vehicles from \$750,000 to \$2 million and Sec. 4306 that directs the Federal Motor Carrier Safety Administration (FMCSA) to review and revise the current hours of service (HOS) rules, including exemptions. We believe these provisions will add unnecessary costs to the U.S. agricultural supply chain and will reduce U.S. agriculture's international competitiveness and increase domestic food price inflation.

We support the current \$750,000 minimum financial responsibility requirement for motor carriers. The average annual insurance premium to comply with the current \$750,000 minimum financial responsibility requirement is about \$5,000 per truck. Meanwhile, the minimum automobile liability insurance for most states is less than \$100,000 and the annual premium is significantly less than the \$5,000 paid by truckers. Sec. 4408 ignores that factors other than financial requirements influence the safety of truck drivers on U.S. roadways including elements such as the condition of roadway surfaces and the behavior of other drivers, including those driving passenger vehicles. In addition, truck safety technology and driver training have both improved considerably. We believe dramatic increases in the minimum financial responsibility requirement for motor carriers would make truckers a greater target of litigation, lead to the introduction of higher truck freight rates and result in fewer for-hire motor carriers, without a demonstrable improvement in motor carrier safety.

Farmers, ranchers and agricultural haulers are dedicated to providing the safe, abundant and affordable food, fiber and feed required to ensure our country stays healthy and fed. Since its inception in 1995, the agricultural exemption has been vitally important to the food and agriculture industry. Given the strong safety record of the U.S. agricultural trucking sector, Congress periodically has modified policies to enhance its usefulness to help ensure a more efficient and cost-effective freight transportation distribution system, but Sec. 4306 of the bill

undermines this flexibility. If anything, agriculture needs more flexibilities to HOS rules not additional barriers to safely delivering our products to people around the world. HOS exemptions for agriculture are important to accommodate seasonal spikes in transportation of food, fiber and other agricultural supplies to facilitate the growing, harvesting, processing and distribution of food and agricultural products.

Thank you again for your work on this important surface transportation legislation and to further support economic recovery and encourage growth, we encourage you to remove Sections 4408 and 4306. Instead, we urge you to work with our community to update HOS regulations such as those found in the bipartisan H.R. 2486, Haulers of Agriculture and Livestock Safety (HAULS) Act of 2021 which was largely included in H.R. 3341, the STARTER Act 2.0.

Thank you for your consideration.

Sincerely,

Agricultural and Food Transporters Conference
Agricultural Retailers Association
Agriculture Transportation Coalition
Amcot
American Beekeeping Federation
American Cotton Shippers Association
American Farm Bureau Federation
American Feed Industry Association
American Forest and Paper Association
American Honey Producers Association
American Pulse Association
American Quarter Horse Association
American Sheep Industry Association
American Soybean Association
Corn Refiners Association
Cotton Growers Warehouse Association
Cotton Warehouse Association of America
Growth Energy
Hardwood Federation
Institute of Shortening and Edible Oils
Livestock Marketing Association
National Aquaculture Association
National Association of State Departments of Agriculture
National Association of Wheat Growers
National Barley Growers Association
National Cattlemen's Beef Association
National Corn Growers Association
National Cotton Council

National Council of Farmer Cooperatives
National Farmers Union
National Grain and Feed Association
National Milk Producers Federation
National Oilseed Processors Association
National Pasta Association
National Pork Producers Council
National Potato Council
National Sorghum Producers
National Sunflower Association
National Turkey Federation
North American Meat Institute
North American Millers' Association
North American Renderers Association
Pet Food Institute
Southwest Council of Agribusiness
Soy Transportation Coalition
Specialty Soya & Grains Alliance
The Fertilizer Institute
United Fresh Produce Association
United States Cattlemen's Association
USA Dry Pea & Lentil Council
USA Rice
U.S. Canola Association
U.S. Custom Harvesters, Inc.
U.S. Dry Bean Council
U.S. Pea & Lentil Trade Association
U.S. Poultry & Egg Association
Western Growers Association
Western Peanut Growers Association