October 30, 2018

The Honorable Raymond P. Martinez
Administrator, Federal Motor Carrier Safety Association
U.S. Department of Transportation
1200 New Jersey Ave, S.E., Suite 600
Washington, D.C. 20590

Dear Administrator Martinez:

We write in support of the petition filed by the National Cattlemen's Beef Association (NCBA), the Livestock Marketing Association (LMA), the American Farm Bureau Federation (AFBF), the American Beekeeping Federation (ABF), the American Honey Producers Association (AHPA), and the National Aquaculture Association (NAA) to request a waiver for livestock haulers pertaining to certain provisions in the hours of service (HOS) rules.

The current HOS rules do not accommodate the needs of livestock haulers. These haulers routinely complete long trips due to the vast geography of production and processing facilities, which span from coastal states to the Midwest. Restrictive drive-time limits and extended mandatory stops are not manageable for haulers transporting live animals, especially when considering animal health and safety. We must ensure a framework is in place to properly address the unique needs of livestock haulers. Any disruption to the livestock hauling industry will cause an immediate and dramatic impact to not only those directly involved in production agriculture but also to millions of Americans who will see a spike in the price of healthy, safe protein in the meat case.

As the petition shows, livestock haulers have a proven safety record. We should ensure haulers are able to continue transporting livestock across the country, while maintaining appropriate safety standards on federal roadways. Congress has continually recognized the unique nature of hauling agricultural commodities over the past decades. Recognizing that one-size-fits-all approaches to regulation and governance do not work for niche groups like livestock haulers is
the precise reason Congress has empowered the Federal Motor Carrier Safety Administration (FMCSA) to grant flexibility via the exemption process. Granting this petition would be consistent with Congressional intent to allow for alternative practices while still maintaining safety.

The petition submitted by these groups would grant livestock haulers the flexibility and certainty they need to operate while still ensuring an equivalent level of safety on our nation’s highways. In exchange for a handful of additional driving hours, drivers wishing to participate in the exemption will complete additional fatigue management training, which will be heavily based on the strategies outlined by FMCSA’s own materials. Additionally, participating drivers and carriers will avail themselves to necessary pre-trip planning, self-auditing procedures, and certification to the agency, all in the name of demonstrating an equivalent level of safety.

We appreciate the Federal Motor Carrier Safety Association (FMCSA) for working with members of Congress and industry stakeholders to find a solution that meets the needs of livestock haulers. Because of this, we respectfully ask for FMCSA to give the petition filed by NCBA, LMA, AFBF, ABF, AHPA, and NAA full and fair consideration, consistent with all applicable rules and guidelines, in order to deliver much-needed flexibility and certainty to accommodate unique needs of livestock haulers.

Sincerely,

Ted S. Yoho, D.V.M.
Member of Congress

Collin Peterson
Member of Congress

Roger Marshall, M.D.
Member of Congress

Tom Rooney
Member of Congress

Andy Harris, M.D.
Member of Congress

Randy Weber
Member of Congress
Paul A. Gosar, D.D.S.
Member of Congress

Rod Blum
Member of Congress

Frank Lucas
Member of Congress

Ken Buck
Member of Congress

Mac Thornberry
Member of Congress

Kevin Brady
Member of Congress

Lynn Jenkins, C.P.A.
Member of Congress

Mark Walker
Member of Congress

Martha McSally
Member of Congress

H. Morgan Griffith
Member of Congress

Bob Goodlatte
Member of Congress

Darin LaHood
Member of Congress

Glenn ‘GT’ Thompson
Member of Congress

Vicky Hartzler
Member of Congress

Sanford D. Bishop, Jr.
Member of Congress

Scott DesJarlais
Member of Congress
Chuck Fleischmann  
Member of Congress

Bob Gibbs  
Member of Congress

David Kustoff  
Member of Congress

Daniel Webster  
Member of Congress

David P. Roe, M.D.  
Member of Congress

Diane Black  
Member of Congress

Bruce Westerman  
Member of Congress

Jason Smith  
Member of Congress

Robert J. Wittman  
Member of Congress

James Comer  
Member of Congress

Richard M. Nolan  
Member of Congress

Greg Gianforte  
Member of Congress

Markwayne Mullin  
Member of Congress

Bill Posey  
Member of Congress

John J. Faso  
Member of Congress

Barbara Comstock  
Member of Congress