

June 2017

United States House of Representatives
Washington, D.C. 20515

Dear Representative:

The undersigned organizations, representing a broad range of industries, strongly support amending the Federal Aviation Administration Authorization Act of 1994 (FAAAA) to clarify that state meal and rest break requirements and state restrictions on piece-rate pay practices are federally preempted under existing law.

In 1994, Congress passed the preemption provision of the FAAAA to provide the trucking industry with a uniform set of rules to operate safely and efficiently in interstate commerce. The provision expressly preempts state laws related to the prices, routes, and services of motor carriers in order to prevent a state-by-state patchwork of multi-faceted rules and regulations that would inhibit the movement of freight. At the time, Congress noted that “the sheer diversity of [state] regulatory schemes is a huge problem for national and regional carriers attempting to conduct a standard way of doing business.” Congress determined that allowing states to impose their individual policy preferences on the trucking industry “causes significant inefficiencies, increased costs, reduction of competition, inhibition of innovation and technology and curtails the expansion of markets.”

However, a federal court's ruling in 2014 has narrowed the law, giving states greater latitude to regulate interstate motor carriers, requiring them to adhere to varying state rules governing driver hours and pay policies. Therefore, a legislative clarification is urgently needed. Such a clarification would allow motor carriers to continue to provide the level of service that the Federal Motor Carrier Safety Administration (FMCSA) has determined is consistent with safe operations and driver welfare and to continue to make use of pay systems that reward efficiency and productivity.

Because the safe, seamless, and efficient movement of goods is critical to each of our industries, we ask for your support for such a legislative clarification and look forward to working with you to enact a solution this year. Thank you for your consideration.

Sincerely,

Agricultural & Food Transporters Conference
Agriculture Transportation Coalition
American Bakers Association
American Frozen Food Institute
American Fruit and Vegetable Processors and Growers Coalition
American Moving & Storage Association
American Trucking Associations
Association of American Railroads
Automobile Carriers Conference
Customized Logistics and Delivery Association
Food Marketing Institute

Global Cold Chain Alliance
Intermodal Association of North America
Intermodal Motor Carriers Conference
International Association of Refrigerated Warehouses
International Foodservice Distributors Association
International Refrigerated Transportation Association
Meat Import Council of America
National Armored Car Association
National Association of Manufacturers
National Association of Wholesaler-Distributors
National Council of Chain Restaurants
National Private Truck Council
National Restaurant Association
National Retail Federation
National Shippers Strategic Transportation Council
National Tank Truck Carriers
North American Meat Institute
Regional and Distribution Carriers Conference
Retail Industry Leaders Association
Transportation Intermediaries Association
Truck Renting and Leasing Association
Truckload Carriers Association
United Fresh Produce Association
United States Hide, Skin and Leather Association
U.S. Chamber of Commerce

The 50 ATA-Affiliated State Trucking Associations

Alabama Trucking Association, Inc.
Alaska Trucking Association, Inc.
Arizona Trucking Association
Arkansas Trucking Association
California Trucking Association
Colorado Motor Carriers Association
Motor Transport Association of Connecticut, Inc.
Delaware Motor Transport Association, Inc.
Florida Trucking Association, Inc.
Georgia Motor Trucking Association, Inc.
Hawaii Transportation Association
Idaho Trucking Association
Illinois Trucking Association, Inc.
Indiana Motor Truck Association, Inc.
Iowa Motor Truck Association, Inc.
Kansas Motor Carriers Association
Kentucky Trucking Association
Louisiana Motor Transport Association, Inc.
Maine Motor Transport Association, Inc.

Maryland Motor Truck Association, Inc.
Massachusetts Motor Transportation Association, Inc.
Michigan Trucking Association, Inc.
Minnesota Trucking Association
Mississippi Trucking Association
Missouri Trucking Association
Motor Carriers of Montana
Nebraska Trucking Association
Nevada Trucking Association, Inc.
New Hampshire Motor Transport Association
New Jersey Motor Truck Association
New Mexico Trucking Association
Trucking Association of New York
North Carolina Trucking Association
North Dakota Motor Carriers Association, Inc.
Ohio Trucking Association
Oklahoma Trucking Association
Oregon Trucking Associations, Inc.
Pennsylvania Motor Truck Association
Rhode Island Trucking Association, Inc.
South Carolina Trucking Association, Inc.
South Dakota Trucking Association
Tennessee Trucking Association
Texas Trucking Association
Utah Trucking Association
Vermont Truck & Bus Association, Inc.
Virginia Trucking Association
Washington Trucking Associations
West Virginia Trucking Association, Inc.
Wisconsin Motor Carriers Association
Wyoming Trucking Association, Inc.