

June 2017

United States Senate  
Washington, D.C. 20510

Dear Senator:

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.