

Congress of the United States
Washington, DC 20515

February 22, 2011

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: FMCSA docket number 2004-19608

Dear Secretary LaHood:

We are writing to express our concerns about the U.S. Department of Transportation's course on proposed hours of service rules for truck drivers. If finalized, the proposed changes would have a substantially negative impact on productivity and the U.S. economy.

The rules currently in place are working well and do not need to be changed. Since the current rules were implemented seven years ago, the trucking industry's safety performance has improved at an unprecedented rate. Both the number and rate of fatal and injury accidents involving large trucks have declined by more than one-third and are now at their lowest levels in recorded history. The remarkable reduction in the number of truck-involved fatal and injury crashes occurred even as truck mileage increased by almost 10 billion miles between 2003 and 2008, the latest year for which data is available.

If the proposed changes are implemented, trucking companies will need to put additional trucks and drivers on the road to deliver the same amount of freight, adding to final product costs and increasing congestion on the nation's already clogged highways. Small business truckers would be especially hard hit.

On two prior occasions, the Federal Motor Carrier Safety Administration (FMCSA) estimated that similar changes would cost the U.S. economy \$2.2 billion, inclusive of safety benefits. However, in the new proposed rule FMCSA has changed its methodology for estimating both the benefits and costs of changes to the hours of service rule, effectively *decreasing* estimated annual costs by \$1.5 billion and *increasing* estimated annual benefits by \$1.1 billion in order to produce a positive benefit-cost ratio. Further, the agency's own analysis shows that the net benefits of retaining the current daily driving time limit exceed the net benefits of reducing allowable driving time by one hour, the option favored by FMCSA. Frankly, it is very difficult to understand how FMCSA rationalizes its proposal on this fact alone.

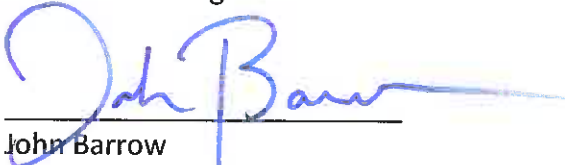
In addition to encumbering the industry and a struggling economy, the proposed changes would significantly challenge law enforcement. Because the proposed rules are complex and restrictive, motor carriers could have difficulty understanding them and enforcement officers could have difficulty accurately identifying violations. For instance, in order to determine if a driver can legally claim to have met the conditions of a weekly rest provision, enforcement officials would have to ensure that at least 168 hours had elapsed since the beginning of the most recent weekly rest period, and that the break included two consecutive nighttime periods between midnight and 6 a.m. Such complexity will only serve to hamper both industry compliance and motor carrier enforcement.

Thank you for your attention to this important matter. Now is not the time to impose costly new regulations that would impede the nation's economic recovery and increase the cost of almost every product Americans produce and buy.

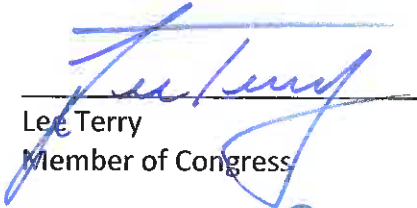
Sincerely,



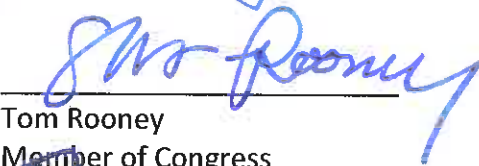
Bill Shuster
Member of Congress



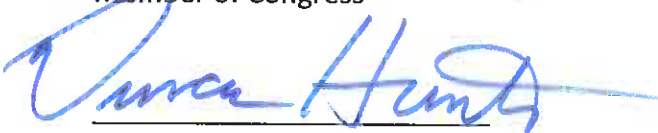
John Barrow
Member of Congress



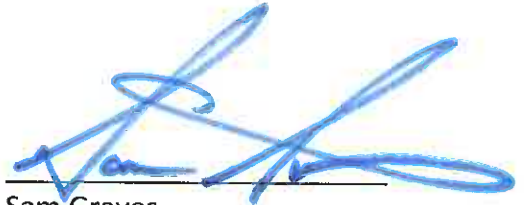
Lee Terry
Member of Congress



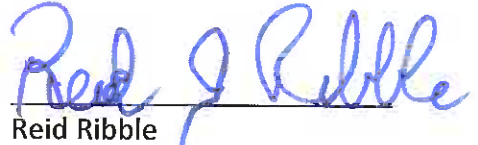
Tom Rooney
Member of Congress



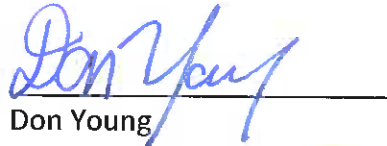
Duncan Hunter
Member of Congress



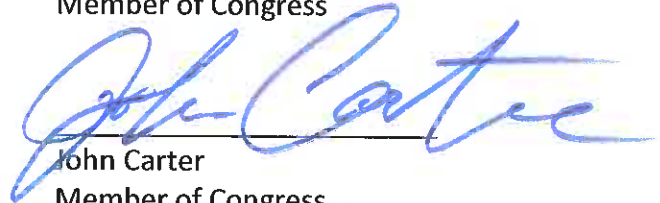
Sam Graves
Member of Congress



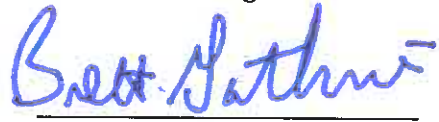
Reid Ribble
Member of Congress



Don Young
Member of Congress



John Carter
Member of Congress



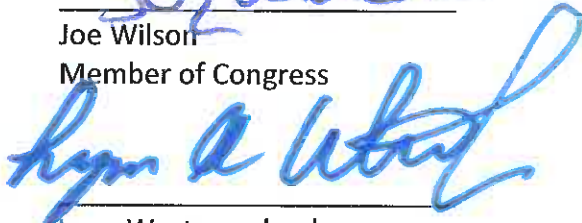
Brett Guthrie
Member of Congress



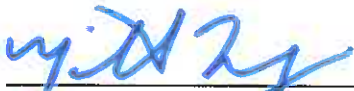
Pete Sessions
Member of Congress



Joe Wilson
Member of Congress



Lynn Westmoreland
Member of Congress



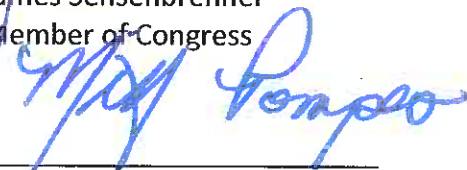
Michael Conaway
Member of Congress



Glenn Thompson
Member of Congress



James Sensenbrenner
Member of Congress



Mike Pompeo
Member of Congress



Howard Coble
Member of Congress



Bill Flores
Member of Congress



Richard Hanna
Member of Congress



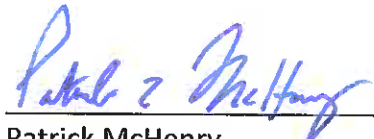
Devin Nunes
Member of Congress



Ken Calvert
Member of Congress



Mike Ross
Member of Congress



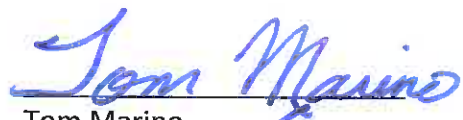
Patrick McHenry
Member of Congress



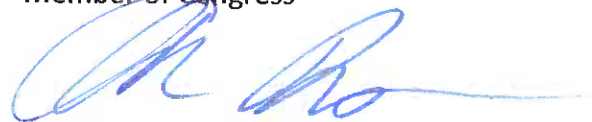
Tim Johnson
Member of Congress



Jo Bonner
Member of Congress



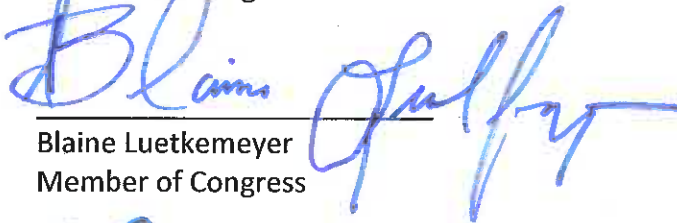
Tom Marino
Member of Congress



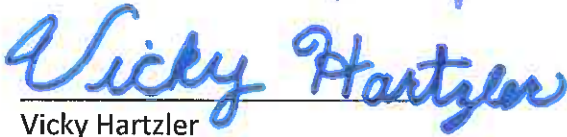
Adam Kinzinger
Member of Congress



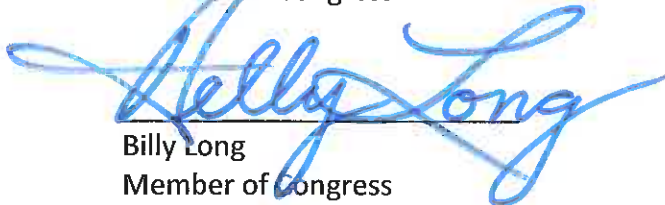
Adrian Smith
Member of Congress



Blaine Luetkemeyer
Member of Congress



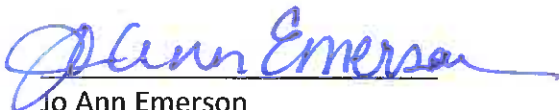
Vicky Hartzler
Member of Congress



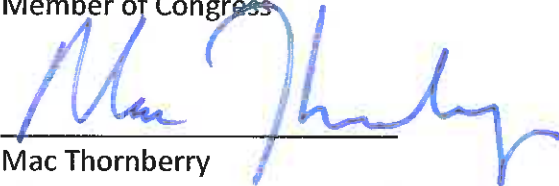
Billy Long
Member of Congress



Denny Rehberg
Member of Congress



Jo Ann Emerson
Member of Congress



Mac Thornberry
Member of Congress



Dennis Ross
Member of Congress



Lou Barletta
Member of Congress



Rob Bishop
Member of Congress



Bob Gibbs
Member of Congress



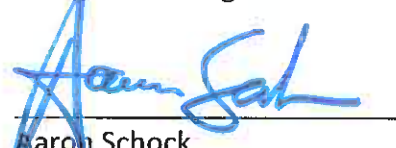
John Sullivan
Member of Congress



Cathy McMorris Rodgers
Member of Congress



Jeff Denham
Member of Congress



Aaron Schock
Member of Congress



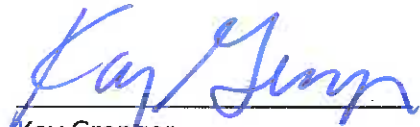
Frank Guinta
Member of Congress



Michael McCaul
Member of Congress



Ron Paul
Member of Congress



Kay Granger
Member of Congress



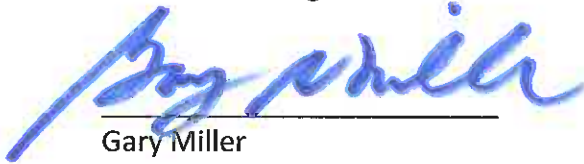
Joe Barton
Member of Congress



Jim Gerlach
Member of Congress



Shelley Moore Capito
Member of Congress



Gary Miller
Member of Congress



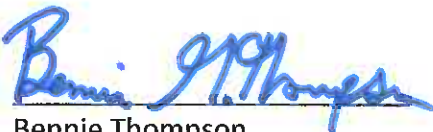
Chuck Fleischmann
Member of Congress



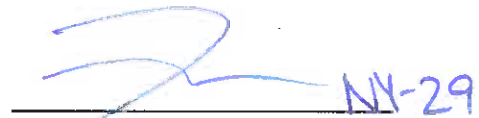
Dean Heller
Member of Congress



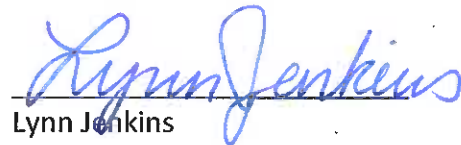
Collin Peterson
Member of Congress



Bennie Thompson
Member of Congress

 NY-29

Tom Reed
Member of Congress



Lynn Jenkins
Member of Congress



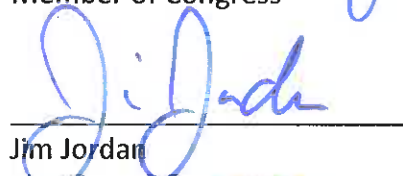
Sue Myrick
Member of Congress



Mike Kelly
Member of Congress



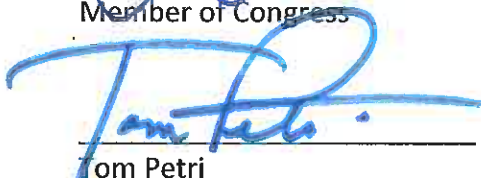
John Kline
Member of Congress



Jim Jordan
Member of Congress



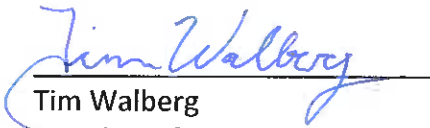
Steve Stivers
Member of Congress




Tom Petri
Member of Congress

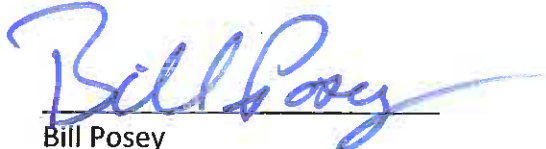


Dan Benishek
Member of Congress


Tim Walberg
Member of Congress

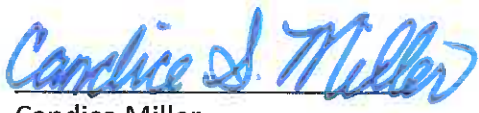

Kevin Yoder
Member of Congress

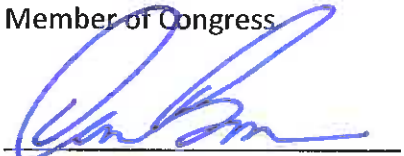

John Fleming
Member of Congress



Bill Posey
Member of Congress

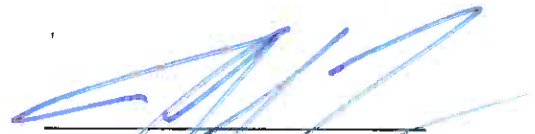

Steve Austria
Member of Congress

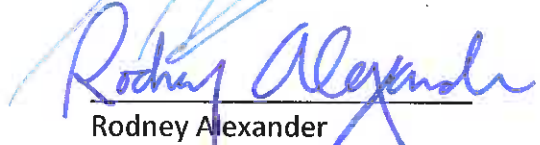

Pete Olson
Member of Congress

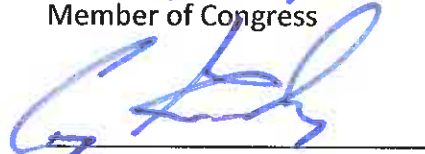

Candice Miller
Member of Congress



Dan Boren
Member of Congress

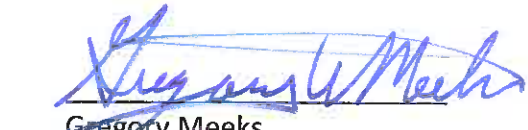

Erik Paulsen
Member of Congress

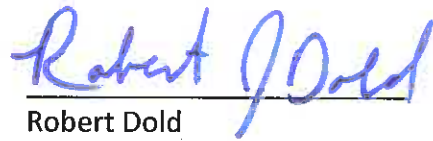

Jeff Landry
Member of Congress

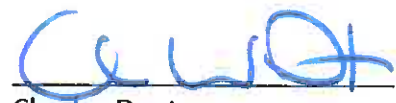

Rodney Alexander
Member of Congress

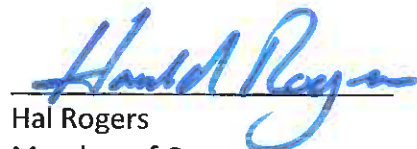

Cory Gardner
Member of Congress


Tim Scott
Member of Congress

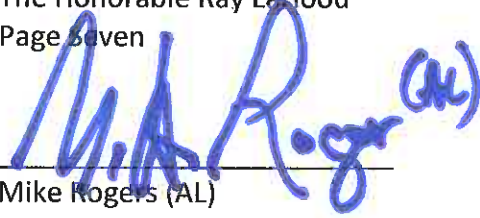

Gregory Meeks
Member of Congress


Robert Dold
Member of Congress

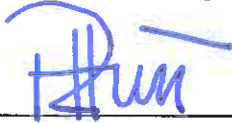

Charles Dent
Member of Congress


Hal Rogers
Member of Congress

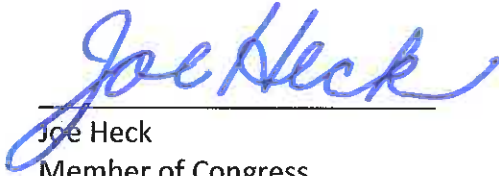

Wally Herge
Member of Congress



Mike Rogers (AL)
Member of Congress



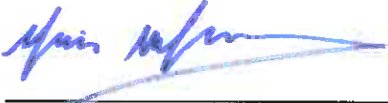
Robert Hurt
Member of Congress



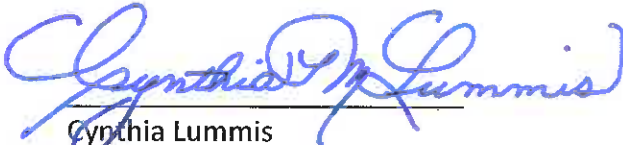
Joe Heck
Member of Congress



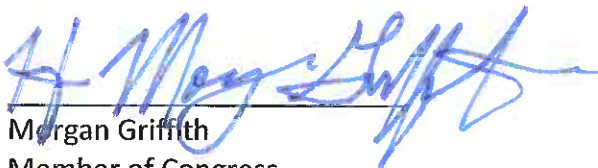
Rick Crawford
Member of Congress



Mick Mulvaney
Member of Congress



Cynthia Lummis
Member of Congress



Morgan Griffith
Member of Congress



John Shimkus
Member of Congress



Robert Aderholt
Member of Congress



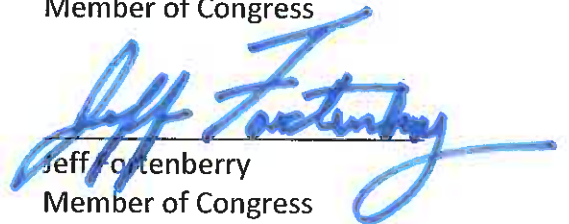
Steve Scalise
Member of Congress



Marsha Blackburn
Member of Congress



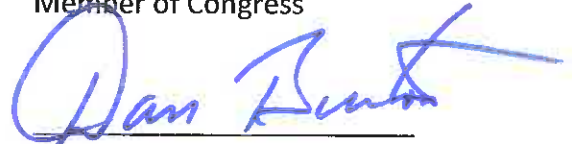
Todd Rokita
Member of Congress



Jeff Fortenberry
Member of Congress



Patrick Tiberi
Member of Congress



Dan Burton
Member of Congress



Andy Harris
Member of Congress



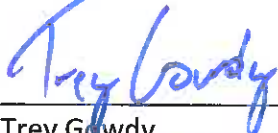
Dave Reichert
Member of Congress



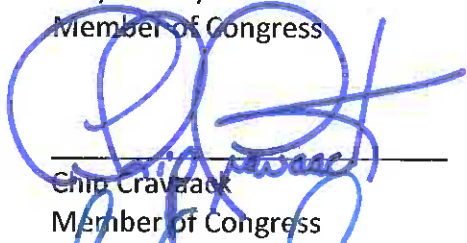
Todd Russell Platts
Member of Congress

The Honorable Ray LaHood

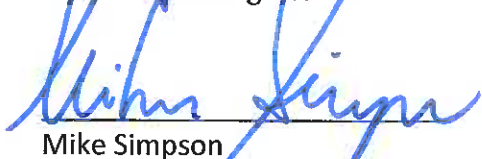
Page Eight



Trey Gowdy
Member of Congress



Chip Cravaack
Member of Congress



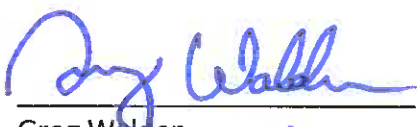
Mike Simpson
Member of Congress



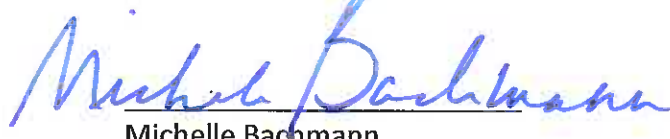
Chris Gibson
Member of Congress




Trent Franks
Member of Congress



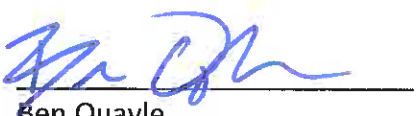
Greg Walden
Member of Congress



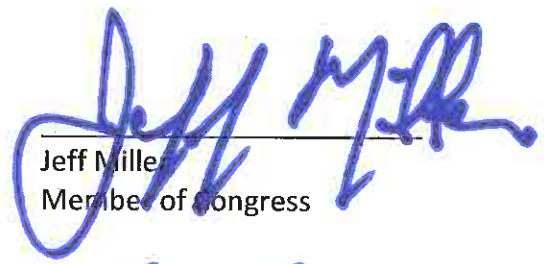
Michelle Bachmann
Member of Congress



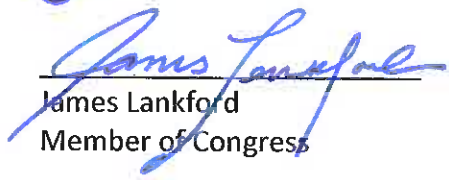
Jeff Flake
Member of Congress



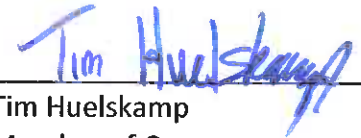
Ben Quayle
Member of Congress



Jeff Miller
Member of Congress



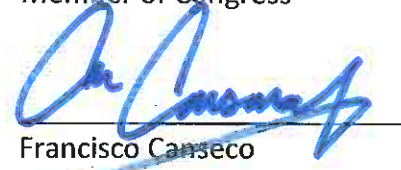
James Lankford
Member of Congress



Tim Huelskamp
Member of Congress



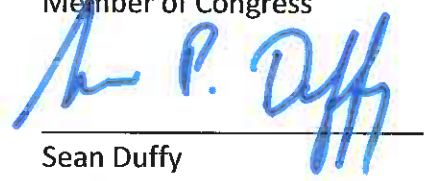
Bill Cassidy
Member of Congress



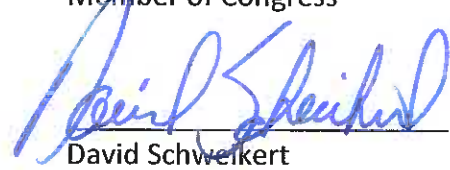
Francisco Canseco
Member of Congress



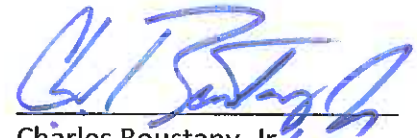
Eric Cantor
Member of Congress



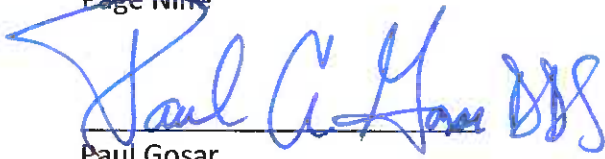
Sean Duffy
Member of Congress



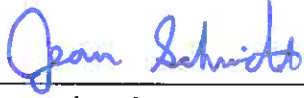
David Schweikert
Member of Congress



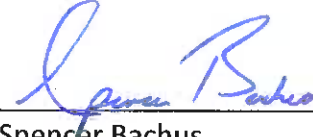
Charles Boustany, Jr.
Member of Congress

A handwritten signature in blue ink that reads "Paul Gosar" followed by a large, stylized flourish.

Paul Gosar
Member of Congress

A handwritten signature in blue ink that reads "Jean Schmidt" in a cursive style.

Jean Schmidt
Member of Congress

A handwritten signature in blue ink that reads "Spencer Bachus" in a cursive style.

Spencer Bachus
Member of Congress

A handwritten signature in blue ink that reads "Darrell Issa" in a cursive style.

Darrell Issa
Member of Congress