

October 8, 2020

The Honorable Deb Fischer
Chairman, Subcommittee on Transportation and Safety
United States Senate
454 Russell Senate Office Building
Washington, D.C. 20510

RE: Haulers of Agriculture and Livestock Safety Act of 2020

Dear Chairman Fischer:

The undersigned organizations strongly support S. 4720, Haulers of Agriculture and Livestock Safety (HAULS) Act of 2020. The HAULS Act of 2020 modernizes the agricultural exemption to the hours-of-service rules and provides much needed regulatory relief.

The farmers, ranchers, food and beverage manufacturers, processors, package suppliers and agricultural product marketers that comprise our memberships 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 it is in need of updating.

The HAULS Act would make three important incremental changes to the agricultural exemption to hours-of-services rules [C.F.R. 49, sec. 395.1(k)] that we support and believe would help accommodate the seasonal spikes in transportation of food, fiber and other agricultural supplies.

The first would eliminate the “planting and harvesting periods” requirements to ensure uniformity within all states. Most states already have adopted a year-round agricultural exemption (Jan. 1 – Dec. 31) given the diverse range of crops and modern agricultural practices that result in truck movements throughout the year.

The second would provide a 150-air-miles exemption from hours-of-service regulations on the backend of hauls before hours-of-service rules apply. This builds on the current exemption for the beginning of hauls at the “source” and simply would add the term “destination.” Originally, the front-end exemption was put in place to give farmers and ranchers extra time to safely and slowly navigate rural roads, which often times are minimally maintained and have significantly slower travel speeds, so as not to penalize drivers operating safely in remote areas away from major highways, as well as to provide for proper animal welfare practices for livestock being transported.

All of the identified concerns (rural roads, slower travel to achieve safety, and slower animal handling to achieve safety and animal welfare) also exist at the destination of a haul. Destination feed yards and pastures often are located in areas that are just as remote as source pastures and

sale barns. In addition, processing facilities typically have long lines and demand the same need for careful, slow animal handling. This language also would address the very real concern of those who come close to their destinations and then “run out of time,” while only being a short distance from their destination. This is impractical, illogical, and detrimental to agricultural and livestock haulers.

Third, we support the proposed update of the definition of an agricultural commodity for purposes of determining eligible freight for the agricultural exemption. We believe the following proposed definition appropriately covers current agricultural products and allows for continued evolution of any agricultural commodities in the future:

Proposed Definition of an Agricultural Commodity

- Any nonprocessed product planted or harvested for food, feed, fuel, or fiber;
- Any nonhuman living animal, including fish, insects; and livestock (as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471)); and the nonprocessed products of any nonhuman living animal, including milk; eggs; and honey;
- Nonprocessed forestry, aquacultural, horticultural, and floricultural commodities;
- Fresh or minimally processed fruits and vegetables, including fruits and vegetables that are rinsed, cooled, cut, ripened, or otherwise minimally processed, as determined by the Secretary; and
- Animal feed, including the ingredients of animal feed.

Thank you for your leadership on this important issue and we look forward to working with you to get the HAULS Act enacted into law.

Sincerely,

Agribusiness Association of Iowa
Agribusiness Council of Indiana
Agricultural and Food Transporters Conference
Agriculture Transportation Coalition
Alabama Cattlemen’s Association
American Beekeeping Federation
American Cotton Producers
American Farm Bureau Federation
American Forest and Paper Association
American Honey Producers Association
American Sheep Industry Association
American National CattleWomen, Inc.
American Soybean Association
Arizona Cattle Feeders Association
Arizona Cattle Growers’ Association
Arkansas Cattlemen’s Association
California Cattlemen’s Association
California Farm Bureau Federation
Colorado Cattlemen’s Association
Colorado Livestock Association

Corn Refiners Association
Far West Agribusiness Association
Florida Cattlemen's Association
Forest Resources Association
Georgia Cattlemen's Association
Grain and Feed Association of Illinois
Hardwood Federation
Hawaii Cattlemen's Council
Idaho Cattle Association
Illinois Beef Association
Indiana Beef Cattle Association
Iowa Cattlemen's Association
Kansas Agribusiness Retailers Association
Kansas Grain and Feed Association
Kansas Livestock Association
Kentucky Cattlemen's Association
Livestock Marketing Association
Louisiana Cattlemen's Association
Maryland Cattlemen's Association
Michigan Agri-Business Association
Michigan Cattlemen's Association
Minnesota Grain and Feed Association
Minnesota State Cattlemen's Association
Mississippi Cattlemen's Association
Missouri Cattlemen's Association
Montana Agricultural Business Association
Montana Stockgrowers Association Inc.
National Association of Wheat Growers
National Barley Growers Association
National Cattlemen's Beef Association
National Corn Growers Association
National Cotton Council
National Cotton Ginners' Association
National Council of Farmer Cooperatives
National Grain and Feed Association
National Grange
National Milk Producers Federation
National Oilseed Processors Association
National Pasta Association
National Pork Producers Council
National Potato Council
National Sunflower Association
Nebraska Cattlemen
Nebraska Dry Bean Commission
Nebraska Grain and Feed Association
Nevada Cattlemen's Association

New Mexico Cattle Growers Association
New Mexico Wool Growers, Inc.
North American Meat Institute
North American Millers' Association
North Carolina Cattlemen's Association
North Dakota Grain Dealers Association
North Dakota Stockmen's Association
Northeast Agribusiness and Feed Alliance
Ohio AgriBusiness Association
Ohio Cattlemen's Association
Oklahoma Cattlemen's Association
Oregon Cattlemen's Association
Pacific Northwest Grain & Feed Association
Pennsylvania Cattlemen's Association
Rocky Mountain Agribusiness Association
South Dakota Cattlemen's Association
South Dakota Grain and Feed Association
Soy Transportation Coalition
Specialty Soya & Grains Alliance
Tennessee Cattlemen's Association
Texas Cattle Feeders Association
Texas & Southwestern Cattle Raisers Association
Texas Grain and Feed Association
The Fertilizer Institute
United Fresh Produce Association
USA Dry Pea & Lentil Council
USA Rice
U.S. Canola Association
U.S. Custom Harvesters
US Dry Bean Council
Utah Cattlemen's Association
Virginia Cattlemens Association
Washington Cattle Feeders Association
Washington Cattlemen's Association
Western Growers Association
West Virginia Cattlemen's Association
Wisconsin Agri-Business Association
Wisconsin Cattlemen's Association
Wyoming Stock Growers Association