

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 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 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