

SANFORD D. BISHOP, JR.
SECOND DISTRICT, GEORGIA

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:
RANKING MEMBER
AGRICULTURE
MILITARY CONSTRUCTION/VA
FINANCIAL SERVICES

WASHINGTON OFFICE:
2407 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-1002
PHONE: (202) 225-3631
FAX: (202) 225-2203



Congress of the United States
House of Representatives
Washington, DC 20515

May 23, 2018

DISTRICT OFFICES:

ALBANY
235 ROOSEVELT AVENUE
ALBANY TOWERS, SUITE 114
ALBANY, GA 31701
PHONE: (229) 439-8067
FAX: (229) 436-2099

COLUMBUS
18 NINTH STREET, SUITE 201
COLUMBUS, GA 31901
PHONE: (706) 320-9477
FAX: (706) 320-9479

MACON
300 MULBERRY STREET, SUITE 502
MACON, GA 31201
PHONE: (478) 803-2631
FAX: (478) 803-2637

The Honorable Elaine Chao
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Chao:

In March, I was pleased that the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) granted another 90-day waiver from the electronic logging device (ELD) rule for trucks carrying agricultural commodities. As a Member of Congress from one of the largest agriculture-producing states this is an important issue for me and many of my constituents. The ELD rule directly impacts the livelihoods of our farmers, ranchers, and the truckers who support them. With the deadline looming again, I write to urge you and Administrator Martinez to provide another extension.

The ELD mandate is exacerbating the severe driver shortage. Earlier this month, I heard from a constituent who is a grower and shipper of fresh market sweet corn. He is facing freight rates that are 30 percent higher than normal. As we reach peak corn season he is worried he will not be able to find enough trucks to haul his corn. Unfortunately, this is not an outlier. Shippers across the country and across multiple commodities are paying higher shipping rates. The agricultural community is uniquely affected by these rates since it is shipping perishable products. Timely delivery is critical as there is a very small window from harvest to sale.

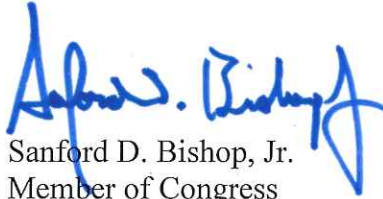
I am also concerned that the current ELD technology is not able to accommodate the agricultural exemption that is provided under the hours-of-service regulations. Without the available technology being able to implement the flexibility that Congress envisioned for perishable cargoes, those exemptions effectively do not exist. By further delaying the rule we can ensure drivers are not needlessly vulnerable to inquiries from law enforcement. It will also provide time to fully think through the unique aspects of agriculture transportation.

In particular, I ask that you consider allowing the 150 air-mile agricultural exemption to begin at the final pick up point for multi-point pickups. In my district and across the country drivers must utilize multiple pick-up points to fill their truck. I have small farms in my district, many under 100 acres, which have come to rely on these supply chains and operational efficiencies. Safety must always be a top priority, but it is also our job to ensure regulations are smart and fair.

Further delaying the ELD rule for agriculture commodities will provide relief to both producers and shippers. I appreciate your continued attention to this important issue and look forward to your reply.

With warmest personal regards, I remain

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Sanford D. Bishop, Jr.", with a stylized flourish at the end.

Sanford D. Bishop, Jr.
Member of Congress