

September 1, 2017

The Honorable Brian Babin
U.S. House of Representatives
316 Cannon House Office Building
Washington, DC 20515

The Honorable Lloyd Smucker
U.S. House of Representatives
516 Cannon House Office Building
Washington, DC 20515

The Honorable Doug LaMalfa
U.S. House of Representatives
322 Cannon House Office Building
Washington, DC 20515

Dear Representatives Babin, Smucker and LaMalfa:

On behalf of the undersigned organizations, we write to you in support of Babin Amendment #35 to H.R. 3354, the *Make America Secure and Prosperous Appropriations Act of 2018*. We greatly appreciate your efforts to delay implementation of the Federal Motor Carrier Safety Administration's (FMCSA) electronic logging device (ELD) mandate.

While we represent remarkably diverse segments of the economy, our respective members and businesses are all negatively impacted by the ELD mandate. In the absence of an outright repeal of the mandate, the rule must be delayed until the FMCSA addresses numerous unresolved issues identified by impacted stakeholders.

We remain adamant that the ELD mandate should be repealed. However, there are significant technological and real-world concerns that have not been addressed by FMCSA. These concerns include the certification of devices (or lack thereof), connectivity problems in remote areas of the country, cybersecurity vulnerabilities, and the ability of law enforcement to access data. The FMCSA's inability or refusal to resolve these issues makes the enactment of Babin Amendment #35 to H.R. 3354 unquestionably necessary.

The ELD mandate is estimated to cost impacted stakeholders more than \$2 billion, making it one of the most expensive federal transportation rulemakings over the last decade. This is a massive unfunded mandate that provides no safety, economic, or productivity benefits. Notwithstanding the significant costs associated with the rule, it simply will not be ready for implementation on December 18, 2017.

Babin Amendment #35 will provide FMCSA and impacted stakeholders more time to work out fundamental problems associated with the rule. We appreciate your leadership on this issue and we urge all of your colleagues to support this critical amendment.

Sincerely,

Agricultural Retailers Association
American Pyrotechnics Association
American Road & Transportation Builders Association
Associated Equipment Distributors

Livestock Exporters Association of the USA
Lucas Oil Products
Mid-West Truckers Association
National Association of Chemical Distributors
National Association of Small Trucking Companies
National Aquaculture Association
National Corn Growers Association
National Cotton Council
National Electrical Contractors Association
National Federation of Independent Business
National Grain and Feed Association
National Ground Water Association
National Hay Association
National Motorists Association
National Precast Concrete Association
National Ready Mixed Concrete Association
New England Fuel Institute
North American Wood Pole Council
Owner-Operator Independent Drivers Association
Petroleum Marketers Association of America
Precast/Prestressed Concrete Institute
SikhsPAC
Southern Pressure Treaters' Association

cc: Members of the Committee on
Transportation & Infrastructure