

December 13, 2017

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

In a matter of days, a \$2 billion mandate on the trucking industry is scheduled to take effect and your help is desperately needed to avoid its disastrous rollout. The Federal Motor Carrier Safety Administration's (FMCSA) electronic logging device (ELD) mandate, which was signed into law by President Obama in 2012, has long been opposed by hundreds-of-thousands of truckers and over 30 diverse industries who rely on trucking. Together, these groups represent countless small businesses and millions of hard-working Americans. Since 2012, we have vigorously shared concerns about the mandate's impact on small businesses, while highlighting serious problems in the agency's flawed implementation process. With enforcement scheduled to begin December 18<sup>th</sup>, many of our concerns remain unresolved and entirely new problems have surfaced.

Recently, the FMCSA granted temporary waivers to the livestock hauling and truck rental industries in an effort to solve some of their concerns with the mandate and its impact on their unique operations. Not only does the granting of these waivers indicate the agency is not fully prepared for the December 18<sup>th</sup> deadline, but they demonstrate FMCSA has the capability to provide targeted relief for specific segments of the trucking industry. Without a doubt, small trucking businesses, who comprise 96% of all registered motor carriers in the United States, deserve similar relief. These truckers will bear nearly all of the \$2 billion in costs associated with the mandate without realizing any economic, productivity or safety benefits from installing ELDs.

Earlier this year, the Commercial Vehicle Safety Alliance announced it would conduct 'soft' enforcement of the mandate until April 1, 2018. This is a clear sign even the officials expected to enforce the mandate are not prepared for its implementation. With FMCSA's lack of leadership and guidance on enforcement, confusion among the states is widespread, leading to a patchwork of varying enforcement and penalization approaches across the country. Last month, Curtis T. Hill Jr., Attorney General of Indiana, sent a letter to FMCSA calling on the agency to delay implementation until several serious matters could be resolved. In recent weeks, we've learned some manufacturers of ELDs have run out of inventory, telling truckers the devices they order will not be delivered before December 18<sup>th</sup>. Unfortunately, by allowing these manufacturers to self-certify the devices they market, truckers are left having to decide whether to purchase equipment that provides no guarantee of compliance or operate without a device and hope they are not ticketed. What more is needed to convince FMCSA that they are not prepared for implementation?

When you were elected, truckers breathed a sigh of relief, believing your commitment to providing regulatory relief would reverse decades of government telling them what, how, when and where to drive. These truckers felt a \$2 billion mandate – one of the most expensive federal requirements of the Obama Administration – would surely receive significant scrutiny from you and your appointees at the Department of Transportation and FMCSA. However, rather than act prudently and delay the mandate in order to address the problems, the agency has irresponsibly stood firm. While we are thankful much progress has been made on behalf of drivers in other policy areas, truckers are wondering why the most expensive, disruptive and controversial mandate in the history of trucking has garnered so little attention from your administration.

While the ELD mandate was enacted under President Obama, its failed implementation will soon take place on your watch. Absent some level of relief, truckers' frustration soon won't focus on why the mandate was signed into law under the previous administration, but on why nothing was done to prevent its disastrous implementation by the current administration. **At minimum, the administration must pursue a 90-day waiver for all sectors of the trucking industry to provide the additional time necessary to address the very serious and reasonable concerns of stakeholders. We implore you to act quickly.**

Sincerely,

Agricultural Retailers Association  
American Pyrotechnics Association  
Lucas Oil Products Inc.  
Mid-West Truckers Association  
National Association of Small Trucking Companies  
National Cotton Council  
National Ground Water Association  
National Hay Association  
Owner-Operator Independent Drivers Association  
Rural & Agriculture Council of America  
United States Cattlemen's Association