



**U.S. Department
of Transportation**

**Federal Motor Carrier
Safety Administration**

Deputy Administrator

**1200 New Jersey Ave, SE
Washington, DC 20590**

The Honorable Patrick J. Leahy
Chair
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chair Leahy:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

Enclosed is a chart providing the status of FMCSA's mandated rules outstanding under the FAST Act and MAP-21, including a description of actions taken to date, explanations for delays, and expected date of rulemaking completion.

FMCSA is working to address two remaining FAST Act requirements. FMCSA reviewed, assessed, and implemented an alternate action to achieve the statutory intent for three of the MAP-21 requirements and is working to address the remaining seven. The Agency believes public input is a critical part of the rulemaking process and actively seeks such input on its regulatory review and rulemaking efforts. FMCSA anticipates using public input to determine the best approach to meeting the Department's statutory obligations.

A similar letter has been sent to the Vice Chair of the Senate Committee on Appropriations; the Chair and Ranking Member of the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies; the Chair and Ranking Member of the House Committee on Appropriations; and the Chair and Ranking Member of the House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.

Sincerely,

A handwritten signature in blue ink that reads "Robin Hutcheson".

Robin Hutcheson

Enclosure



U.S. Department
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Federal Motor Carrier
Safety Administration

Deputy Administrator

1200 New Jersey Ave, SE
Washington, DC 20590

The Honorable Richard C. Shelby
Vice Chair
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Vice Chair Shelby:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

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Robin Hutcheson

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**U.S. Department
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**1200 New Jersey Ave, SE
Washington, DC 20590**

The Honorable Brian Schatz
Chair
Subcommittee on Transportation, Housing and
Urban Development, and Related Agencies
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chair Schatz:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

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1200 New Jersey Ave, SE
Washington, DC 20590

The Honorable Susan Collins
Ranking Member
Subcommittee on Transportation, Housing and
Urban Development, and Related Agencies
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Ranking Member Collins:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

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Sincerely,

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Robin Hutcheson

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1200 New Jersey Ave, SE
Washington, DC 20590

The Honorable Rosa L. DeLauro
Chair
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chair DeLauro:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

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Robin Hutcheson

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Deputy Administrator

**1200 New Jersey Ave, SE
Washington, DC 20590**

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Ranking Member Granger:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

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Robin Hutcheson

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**U.S. Department
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**1200 New Jersey Ave, SE
Washington, DC 20590**

The Honorable David E. Price
Chair
Subcommittee on Transportation, Housing and
Urban Development, and Related Agencies
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chair Price:

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1200 New Jersey Ave, SE
Washington, DC 20590

The Honorable Mario Diaz-Balart
Ranking Member
Subcommittee on Transportation, Housing and
Urban Development, and Related Agencies
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Ranking Member Diaz-Balart:

The Federal Motor Carrier Safety Administration (FMCSA) is pleased to provide this status report on its outstanding rulemakings mandated by the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21st Century Act (MAP-21), as required by the Joint Explanatory Statement for the Further Consolidated Appropriations Act, 2020, and detailed in House Report 116-106 accompanying House Bill 3163.

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Status of Statutory Rulemaking Requirements								
Legislation	Section	Rule Title/Subject	Due Date	Next Action	Expected Completion Date (or Completion Date)	Schedule/ Status	Reason for Delay	RIN
FAST Act	5402(a)	Drug-free Commercial Drivers – Hair Testing	No Statutory Deadline	TBD	TBD	Schedule TBD. HHS published Mandatory Federal Workplace Guidelines for hair testing on 9/10/2020.	This is dependent on HHS's 9/10/2020 action to establish hair testing protocols and subsequent conforming changes to the USDOT's regulations.	
FAST Act	5501(b)	Collect data on operators of commercial motor vehicles loading and unloading goods	12/4/2017	TBD	TBD	Schedule TBD. FMCSA conducted stakeholder engagement in response to a USDOT OIG recommendation.	Section 5501(a) required the USDOT OIG to conduct a study related to delays in goods movements. OIG's 1/31/18 report recommended that FMCSA engage stakeholders on how to best capture data related to underlying issues associated with driver detention. On 6/10/19, FMCSA published a Federal Register notice seeking information on existing or potential sources of data to better understand driver detention times during the loading and unloading of commercial motor vehicles and the potential impact of such delays on roadway safety. The comment period closed 9/9/19, and FMCSA is reviewing the 581 comments received.	
MAP-21	32921	Registration Requirements for Household Goods Carriers	10/1/2014	NPRM	TBD	Held Listening Sessions in January, March, April 2014.	These provisions are complex as they apply to a broad array of affected entities. FMCSA has been focusing on entry level driver training issues before addressing these requirements.	2126-AB17
MAP-21	32101(b)	New Entrant Proficiency Examination	4/1/2014					
MAP-21	32916	Registration of Freight Forwarders and Brokers	No Statutory Deadline					
MAP-21	32106	\$300 Registration Cap	No Statutory Deadline	NPRM	TBD	Schedule TBD. FMCSA has been focusing on URS implementation ahead of this NPRM.	These requirements were grouped into a single rulemaking – Unified Registration System 2.	2126-AB56
MAP-21	32917	Effective Periods of Registration	7/6/2016					
MAP-21	32918(b)(6) 32918(b)(7)	Financial Security of Brokers and Freight Forwarders	7/6/2013	NPRM	TBD	FMCSA published an ANPRM to address this requirement on 9/27/2018.	Partially completed when FMCSA issued rules implementing the \$75,000 requirement on October 1, 2013. FMCSA is drafting an NPRM to address remaining provisions.	2126-AC10
MAP-21	32303	Commercial Driver's License Notification System	10/1/2013	TBD	TBD	Report to Congress issued as required by section 32303(c).	FMCSA worked with SDLAs and in 2018 published Employer Notification System standards and best practice information on the Agency's website.	
MAP-21	32504	Impoundment	No Statutory Deadline	TBD	6/30/2017	FMCSA completed analysis of implementation options for this requirement.	Significant Rule would implement an aggressive enforcement tool. The Agency does not have the resources to implement the rule. Therefore, the Agency is working to resolve these issues prior to initiating rulemaking.	
MAP-21	32710	Annual Bus Inspections	10/1/2015	No Further Action Anticipated	5/1/2017	ANPRM published 4/27/16. ANPRM withdrawn 5/1/2017.	Significant Rule that would have created unfunded mandate for States. FMCSA has adequately considered rulemaking in this matter, meeting the statutory requirement.	2126-AB84
MAP-21	33013	Highway Routing Disclosures	No Statutory Deadline	No Further Action Anticipated	6/30/2017	FMCSA has addressed this requirement through another rulemaking action and has determined that additional notice and comment rulemaking is not necessary to complete this requirement.	FMCSA published a Federal Register Notice on 10/2/14, updating all State Highway Routing designations and establishing procedures for States to continually update routes. The Agency published updates in the Federal Register on 4/29/15; 8/8/16; 8/9/18; 9/24/19; and 6/3/2020.	