November 1, 2017

The Honorable John Thune
Chairman, Committee on Commerce,
Science, and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This letter provides an update concerning the status of statutorily mandated rulemakings, as required under section 5307 of the Fixing America’s Surface Transportation (FAST) Act.

The Federal Motor Carrier Safety Administration (FMCSA) has worked diligently to complete all statutorily mandated rulemakings, implementing 36 of the 43 sections of the Moving Ahead for Progress in the 21st Century Act (MAP-21) and completing 14 of the 20 rulemaking actions required by the FAST Act. Since the June 9, 2017, report, FMCSA has made the following progress:

- Evaluated MAP-21 section 32504 requirements and determined that rulemaking will not be pursued related to the impoundment of commercial motor vehicles. The Agency does not have the resources to implement this significant rule.
- Evaluated MAP-21 section 33013 requirements and determined this requirement was addressed through another rulemaking action and that additional notice and comment rulemaking is unnecessary to complete action related to States updating hazardous materials routing information.

Enclosed is a chart that provides updated information for each of the rulemakings subject to the section 5307 requirement, including a description of actions taken to date, explanations for delays, and expected date of rulemaking completion.

A similar letter has been sent to the Ranking Member of the Senate Committee on Commerce, Science, and Transportation and the Chairman and Ranking Member of the House Committee on Transportation and Infrastructure.

Sincerely,

Flaine L. Chao

Enclosure
November 1, 2017

The Honorable Bill Nelson
Ranking Member, Committee on Commerce,
Science, and Transportation
United States Senate
Washington, DC 20510

Dear Senator Nelson:

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Sincerely,

Elaine L. Chao

Enclosure
November 1, 2017

The Honorable Bill Shuster
Chairman, Committee on Transportation
and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Sincerely,

Elaine L. Chao

Enclosure
November 1, 2017

The Honorable Peter DeFazio  
Ranking Member, Committee on Transportation  
and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman DeFazio:

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Sincerely,

 Elaine L. Chao

Enclosure
<table>
<thead>
<tr>
<th>Legislation</th>
<th>Section</th>
<th>Rule Title/Subject</th>
<th>Due Date</th>
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<th>Schedule/Status</th>
<th>Reason for Delay</th>
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<tr>
<td>FAST Act</td>
<td>5307(c)(4)</td>
<td>Visibility of Agricultural Equipment</td>
<td>10/1/2014</td>
<td>Completed</td>
<td>6/22/2016</td>
<td>NPRM published 6/22/2016</td>
<td>FMCSA has withdrawn the NPRM published 1/21/16.</td>
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<tr>
<td>FAST Act</td>
<td>5307(c)(5)</td>
<td>Safety Fitness Determinations</td>
<td>N/A</td>
<td>NPRM</td>
<td>12/1/2017</td>
<td>NPRM published on 1/21/16.</td>
<td>Small Business Administration held Roundtable 5/5/16 to hear stakeholder concerns (FMCSA participated)</td>
</tr>
<tr>
<td>FAST Act</td>
<td>5307(c)(6)</td>
<td>A rulemaking concerning commercial motor vehicle safety required by an Act of Congress enacted on or after August 1, 2005, and incomplete for more than 2 years.</td>
<td>N/A</td>
<td>NPRM</td>
<td>12/1/2017</td>
<td>NPRM withdrawn 3/23/17</td>
<td>FMCSA has withdrawn the NPRM published 1/21/16.</td>
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Note: Shading indicates the rulemaking action is completed.