

# United States Senate

WASHINGTON, DC 20510

October 29, 2018

The Honorable Elaine L. Chao  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, Southeast  
Washington, D.C. 20590

Dear Secretary Chao:

We write to you today in support of the American Trucking Associations' (ATA) petition for determination of preemption of California meal and rest break rules (Docket No. FMCSA-2018-0304). National uniformity in the rules and regulations governing the movement of interstate commerce is crucial to ensuring the safety of our nation's roads, bridges, and motoring public.

As you are aware, commercial motor vehicles operating in interstate commerce must adhere to the U.S. Department of Transportation's (DOT) federal hours of service rules. These rules ensure a uniform set of rules for commercial motor vehicles operating across all states, taking into account commercial driver-specific highway safety evidence and fatigue science. However, running in direct conflict with DOT authority over safety and interstate commerce, California has imposed state meal and rest break laws on interstate motor carriers, creating a dangerous and confusing two-tiered system of rules conflicting with the existing uniform federal standard.

The motor carrier industry, and the economy as a whole, requires a uniform system of federal rules to operate in interstate commerce. We are concerned that a state-by-state patchwork of regulations will disrupt the flow of commerce and threaten the safety of our nation's roads, bridges, and motoring public. Insofar as the California break rules apply to commercial drivers subject to DOT's hours-of-service jurisdiction, these rules on commercial motor vehicle safety provide no apparent safety benefit. Instead, this duplicative requirement exacerbates demand for already scarce safe commercial driver parking to the detriment of highway safety. Moreover, the California break rules cause an unreasonable burden on interstate commerce because they greatly reduce the level of motor carrier productivity allowed under the federal regulations, with no offsetting benefits.

Safety is the primary purpose of the Department's regulation of commercial vehicles, and safety is threatened when duplicative and confusing state break requirements interfere with uniform, clear federal requirements. Given your authority to review and rule on this important matter, we urge you to grant ATA's petition for determination of preemption of California meal and rest rules, thus ensuring the safe and efficient movement of interstate commerce.

Thank you for your thoughtful consideration of this matter. We look forward to continuing to work with you on this and other important transportation safety matters.

Sincerely,



Deb Fischer  
United States Senator



Dan Sullivan  
United States Senator



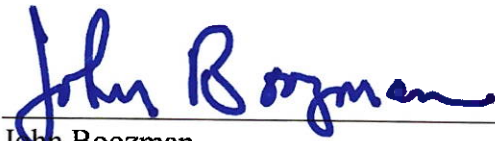
Tom Cotton  
United States Senator



Roy Blunt  
United States Senator



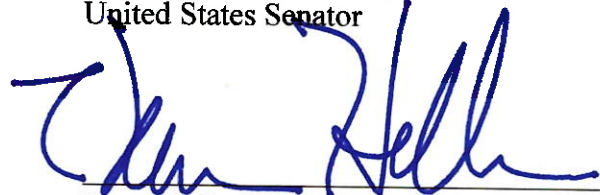
Bill Cassidy, M.D.  
United States Senator



John Boozman  
United States Senator



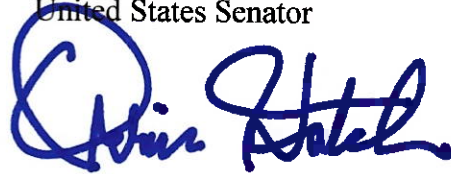
Joni K. Ernst  
United States Senator



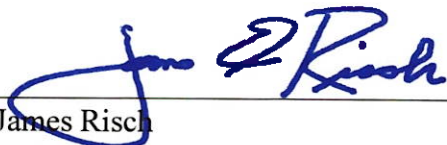
Dean Heller  
United States Senator



Chuck Grassley  
United States Senator



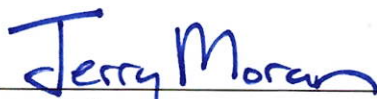
Orrin G. Hatch  
United States Senator



James Risch  
United States Senator



James M. Inhofe  
United States Senator



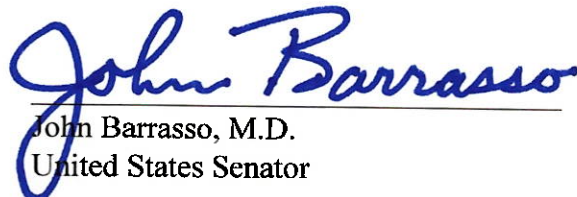
Jerry Moran  
United States Senator



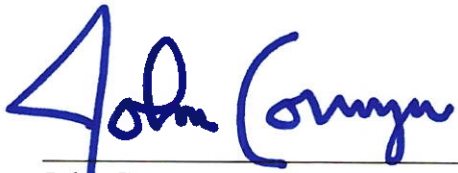
Todd Young  
United States Senator



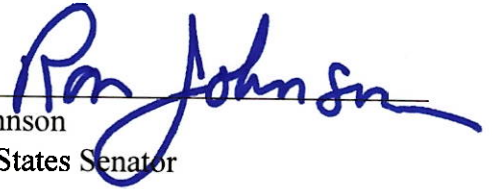
Cory Gardner  
United States Senator



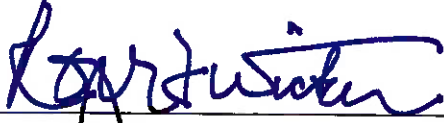
John Barrasso, M.D.  
United States Senator



John Cornyn  
United States Senator



Ron Johnson  
United States Senator



Roger H. Wicker  
United States Senator



Mike Crapo  
United States Senator



Michael Enzi  
United States Senator



Ben Sasse  
United States Senator



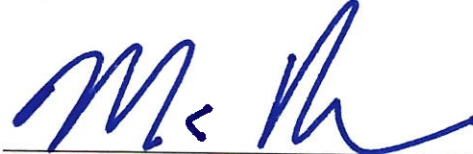
Lindsey O. Graham  
United States Senator



John Hoeven  
United States Senator



Steve Daines  
United States Senator



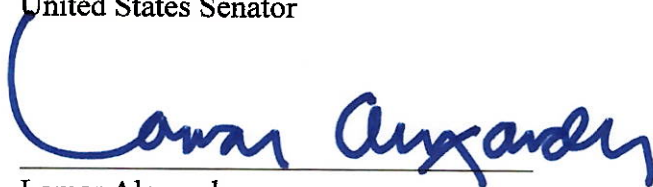
Marco Rubio  
United States Senator



Jon Kyl  
United States Senator



Richard Burr  
United States Senator



Lamar Alexander  
United States Senator



Thom Tillis  
United States Senator