

United States Senate

WASHINGTON, DC 20510

May 10th, 2012

The Honorable Barbara Boxer
Chair
Senate Environment and Public Works Committee
410 Dirksen Office Bldg.
Washington, DC 20510

The Honorable Jim Inhofe
Ranking Member
Senate Environment and Public Works Committee
456 Dirksen Office Bldg.
Washington, DC 20510

Dear Senators Boxer and Inhofe,

Thank you for your tireless efforts to pass a comprehensive bi-partisan transportation reauthorization bill. As you begin your work in the conference committee, we urge you to retain the provision in Senate amendment 1814 to allow farmers and ranchers common sense exemptions from certain regulations when they transport their products. This provision has bi-partisan support and was included in the Senate bill by voice vote.

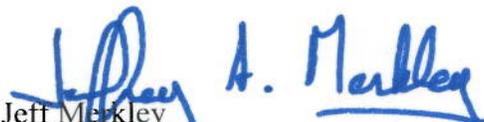
The amendment makes clear that states have primacy in determining the regulations that apply to farm vehicles engaged in in-state commerce. In addition, it gives certainty to farmers who transport their goods short distances across state lines. Currently, farmers are exempt from certain regulations when they transport their products in farm vehicles, as long as they are transporting the products within the same state. However, this is problematic for farmers and ranchers who live near state borders and whose best market or nearest processing facility might be just across the state line. This inconsistency in current law frequently means additional burdensome regulations meant for commercial truck drivers like vehicle inspections for every trip, even if the farm vehicle is simply driving from the field to the barn, and adhering to hours of service rules, even though the farmer is driving an hour down the road to a mill.

Such a provision will allow farms to transport products to the nearest processing facility without these burdensome requirements, even if the vehicle crosses a state line. The language creates strict criteria for vehicles that can take the exemptions. In order to qualify, the vehicle must be registered in the state as a farm vehicle, be driven by the farm or ranch owner, an employee or family member (for-hire drivers do not qualify), must be transporting to or from the farm agricultural commodities, livestock, or supplies, and the vehicle must be either less than 26,001 lbs or, if heavier, can be driven only within the state or a 150 air mile radius of the farm. This

pragmatic approach to regulating farm vehicles will remove impediments to agricultural commerce around the country.

We urge you to preserve the Senate-passed provision as you negotiate a final transportation reauthorization bill in the conference committee. Not only was this provision supported by both Democrats and Republicans in the Senate, but the House Transportation and Infrastructure Committee-passed bill included similar language, which also had bi-partisan support in the House. This provision will reduce the regulatory burden for farmers and ranchers and allow them to efficiently sell their products.

Sincerely,


Jeff Merkley
United States Senate


Richard Lugar
United States Senate


Jon Tester
United States Senate


Pat Toomey
United States Senate


Amy Klobuchar
United States Senate


Roy Blunt
United States Senate


Claire McCaskill
United States Senate