

July 15, 2015

The Honorable John Thune
Chairman
Senate Commerce, Science, and
Transportation Committee
512 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
Senate Commerce, Science, and
Transportation Committee
254 Russell Senate Office Building
Washington, D.C. 201510

Dear Chairman Thune and Ranking Member Nelson:

On behalf of the more than 6,000 members of the American Road and Transportation Builders Association (ARTBA) I commend you for introducing [S. 1732](#), *the Comprehensive Transportation and Consumer Protection Act of 2015*, as part of the effort to provide certainty for our nation's transportation infrastructure through a six-year reauthorization bill.

In addition to our strong support for a long-term, stable reauthorization for the surface transportation program, ARTBA would also like to specifically support the reforms proposed for the federal Hours of Service (HOS) regulations made in section 2302 of S. 1732. Specifically, section 2302 would establish timelines for the Federal Motor Carrier Safety Administration (FMCSA) when considering exemptions to HOS regulations for specific industries. Further, Section 2302 would allow FMCSA to make exemptions permanent (as opposed renewing them every two years) and also grant permanent status to a number of existing exemptions, including an exemption for perishable construction products.

ARTBA, however, continues to be concerned about the wholesale application of the hours of service rule to the transportation construction industry. As ARTBA has stressed on many occasions, the HOS rules were designed for long-haul truck drivers, as opposed to the drivers who work in transportation construction. Over-application of the HOS rules continue to make transportation construction jobs more difficult by limiting the availability of certain key personnel (none of whom are long-haul truck drivers) to discharge job duties relating to commercial motor vehicles. The rule may also disrupt the timely delivery of the aforementioned materials to the construction site. For these reasons, the rule may increase the project's cost (in terms of additional personnel required) without accompanying safety benefits for all concerned.

While ARTBA supports the HOS reforms proposed in S. 1732, we urge the committee members to provide a legislative exemption from federal HOS regulations for all transportation construction industry drivers. Thank you once again for your leadership on this important issue.

Sincerely,



T. Peter Ruane
President & C.E.O