

House Resolution 1397 (COMMITTEE SUBSTITUTE)

By: Representatives Dickey of the 140th, McCall of the 33rd, England of the 116th, Watson of the 172nd, Nimmer of the 178th, and others

A RESOLUTION

1 Encouraging the Federal Motor Carrier Safety Administration (FMCSA) to provide
2 appropriate Electronic Logging Device (ELD) regulations governing the agriculture industry
3 and supporting agribusinesses; and for other purposes.

4 WHEREAS, the impending federal mandate will negatively affect the livelihood of
5 thousands of farmers, ranchers, producers, and livestock marketers who are already seeing
6 increased freight costs and regional discounts on animals raised and sold further away from
7 the grain belt in the central region of the United States; and

8 WHEREAS, whether the driver is moving livestock, fruit, vegetables, turfgrass, bees, or
9 other living or perishable products, the impact on the delivery of the highest quality products
10 in the most humane manner will be negative; and

11 WHEREAS, with a national focus on supporting and sustaining rural economies, the ELD
12 regulations are devastating rural agribusinesses and farm operations; and

13 WHEREAS, the challenges for rural America are not new, but the regulations created by the
14 FMCSA will compound these issues if left unresolved; and

15 WHEREAS, the implementation of the ELD mandate is an injustice for the agricultural
16 sector; and

17 WHEREAS, while the importance of driver and road safety is not being overlooked, this
18 one-size-fits-all initiative is riddled with flaws; and

19 WHEREAS, agriculture should be regulated separately because of the nature of the items
20 produced; and

21 WHEREAS, the "agricultural commodity" exception to the "Hours of Service of Drivers"
22 regulations should be fully allowed so as not to create further hardships if the rules do not
23 properly reflect this exemption; and

24 WHEREAS, in an effort to help right some of the many wrongs in the ELD mandate, the
25 applicability of the Hours of Service (HOS) provisions must be beneficially applied; and

26 WHEREAS, recognizing and honoring the HOS 150 mile air radius is of critical importance,
27 as the "source" for these products may well be a farm or other infrastructure facility; and

28 WHEREAS, this source should be inclusive of a farm, sale barn, grain elevator, or other such
29 distribution facility, as the nature of the industry relies on these distribution networks in order
30 to move products safely and efficiently across the country, including for export; and

31 WHEREAS, rural America, farmers, agribusinesses, and fragile agricultural economies are
32 counting on such ELD regulatory changes by FMCSA to avoid further damage to the
33 agricultural economy.

34 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
35 the members of this body encourage the Federal Motor Carrier Safety Administration
36 (FMCSA) to immediately provide appropriate Electronic Logging Device (ELD) regulations
37 governing the agriculture industry and to fully honor the Hours of Service provisions on the
38 agriculture industry.

39 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
40 and directed to make appropriate copies of this resolution available for distribution to the
41 President of the United States, the Secretary of the United States Department of Agriculture,
42 all members of the congressional delegation from the State of Georgia, the Federal Motor
43 Carrier Safety Administration, and the leadership of all state legislatures.