

The Honorable Hal Rogers
Chairman
Committee on Appropriations
H-305, The Capitol
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

The Honorable Mario Diaz-Balart
Chairman
Subcommittee on Transportation, HUD
2358-A Rayburn House Office Building
Washington, DC 20515

The Honorable David Price
Ranking Member
Subcommittee on Transportation, HUD
1001 Longworth House Office Building
Washington, DC 20515

November 14, 2016

Dear Chairmen Rogers and Diaz-Balart, and Ranking Members Lowey and Price;

In September, the Federal Motor Carrier Safety Administration (FMCSA) and National Highway Traffic Safety Administration (NHTSA) began a rulemaking requiring speed limiters for heavy vehicles weighing 26,000 pounds or more. We, the undersigned, share very serious concerns with several important factors in the Agencies' Notice of Proposed Rulemaking (NPRM), as well as key elements that were omitted or overlooked during its drafting. These concerns range from the pervading ambiguity within the NPRM to more substantive concerns about the proposal's real and quite possibly deleterious effect on highway safety, road congestion and businesses of all sizes.

As you craft legislation to provide federal transportation funding for the remainder of Fiscal Year 2017, we respectfully request that language compelling a final rule within a designated period of time not be included in any appropriations measures. Such a mandate would have a chilling effect on stakeholders' and the public's ability to play a meaningful role in the development of the regulation. Further, we are concerned that circumventing the rulemaking process disregards reform provisions included in the *FAST Act*.

On November 1, the Agencies extended the current public comment period an additional 30 days at the request of stakeholders, who require additional time to provide detailed feedback on the flawed NPRM. Over 5,500 comments have already been submitted, with many more expected to be filed before the new deadline of December 7. Including an artificial timeframe for the implementation of a speed limiter mandate would hamper the Agencies' ability to thoroughly analyze and address the concerns of those affected by the NRPM.

Since FMCSA and NHTSA were first petitioned to initiate this rulemaking 10 years ago, Congress has provided little opportunity for robust debate on speed limiters. Rather than hastily imposing a heavy-handed mandate, we feel Congress's initial involvement should be to examine the issue in a public forum, such as an oversight hearing or stakeholder roundtable. This would

help elected officials and the American public better understand the real impact speed limiters have on highway safety, road congestion and American businesses.

Sincerely,

Owner-Operator Independent Drivers Association
National Association of Small Trucking Companies
National Federation of Independent Business
National Groundwater Association
National Hay Association
National Ready Mixed Concrete Association
National Motorists Association
National Stone, Sand and Gravel Association
New England Fuel Institute
Petroleum Marketers Association of America

cc: Speaker of the House Paul Ryan
House Majority Leader Kevin McCarthy
House Minority Leader Nancy Pelosi
Members of the Committee on Transportation & Infrastructure