

1 HJR198
2 191525-2
3 By Representatives Morrow, Beech, McCampbell, Shedd, Ford,
4 Crawford, Sells, McMillan, Ingram, Shiver, Baker, Beckman,
5 Hill, Standridge, Drake and Williams (JW)
6 RFD: Rules
7 First Read: 15-FEB-18

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8 URGING THE UNITED STATES CONGRESS TO CREATE MORE
9 FLEXIBILITY IN RECENT FEDERAL MOTOR CARRIER ADMINISTRATION
10 REGULATIONS RELATING TO AGRICULTURE AND SMALL BUSINESS
11 INDUSTRIES.

12
13 WHEREAS, millions of hard working American farmers
14 and small businesses would benefit from Congress taking
15 immediate action to protect them from massive government
16 regulations; and

17 WHEREAS, in December of 2017, the Department of
18 Transportation (DOT) began implementation and enforcement of
19 the Electronic Logging Device (ELD) mandate as part of the
20 Moving Ahead for Progress in the 21st Century (MAP-21) Act;
21 and

22 WHEREAS, the ELD mandate requires all commercial
23 driver license (CDL) drivers to replace paper log books for
24 recording driver hours of service with ELDs; and

25 WHEREAS, a coalition consisting of the
26 Owner-Operator Independent Drivers Association and more than
27 30 other transportation and agriculture related associations

1 successfully advocated for a delay in implementing the ELD
2 mandate stating the new regulation "is written so broadly that
3 it has far-reaching implications well beyond the traditional
4 trucking industry"; and

5 WHEREAS, the Federal Motor Carrier Safety
6 Administration has provided for very limited exemptions under
7 the mandate and granted a mere 90-day waiver to livestock
8 haulers that will expire soon; and

9 WHEREAS, information published by the American Horse
10 Council, the National Cattlemen's Beef Association, the
11 American Quarter Horse Association, and others, states that
12 compliance with the new rule on ELDs and Hours of Service
13 (HOS) creates a danger to the welfare and safety of livestock
14 and an unnecessary burden on agribusiness; and

15 WHEREAS, ELD and HOS mandates are federal rules
16 taking a one-size-fits-all approach that results in
17 undesirable implications such as cost burdens and confusion;
18 and

19 WHEREAS, Ohio U.S. Representative and small business
20 committee chairperson, Steve Chabot, stated that complying
21 with these federal mandates is one of the biggest challenges
22 facing America's small businesses today; and

23 WHEREAS, Texas U.S. Representative and sponsor of
24 the ELD Extension Act of 2017, Brian Babin, detailed to
25 President Trump the ELD mandate has an estimated \$2 billion a
26 year compliance cost, with a disproportionate impact on small

1 businesses, that ELD safety studies are "dubious at best", and
2 ELDs create a widespread cybersecurity fear; and

3 WHEREAS, the ELD mandate unfairly burdens small
4 businesses, jeopardizes the welfare of livestock, and will not
5 improve safety; and

6 WHEREAS, we are at a tipping point in American
7 history; the time for Congress to review overly restrictive
8 federal regulations on the American people and American
9 industries is past due; now therefore,

10 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
11 HOUSES THEREOF CONCURRING, That we strongly urge Congress to
12 review the ELD and HOS mandates, and take steps to create more
13 flexibility in Federal Motor Carrier Administration
14 regulations relating to agriculture and small business
15 industries.

16 BE IT FURTHER RESOLVED, That copies of this
17 resolution shall be provided to all members of the Alabama
18 Congressional Delegation and to the President of the United
19 States so that the strong sentiments of this body may be
20 known.