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Congress of the United States
House of Representatives
Washington, DC 20515-3505

July 20, 2011

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Docket Management Facility (M-30)
U.S. Department of Transportation (DOT)
1200 New Jersey Ave, SE
West Building, Ground Floor, Room 12-140
Washington, DC 20590-0001

RE: Department of Transportation - Federal Motor Carrier Safety Administration,
Docket Number: FMCSA-2011-0146

Dear Administrator Ferro,

I am writing to you regarding the Federal Motor Carriers Safety Administration's (FMCSA) proposed rule relating to agriculture equipment. I am concerned how the proposed rule will negatively affect farmers in Ohio and across the country.

Federal highway laws have long exempted farmers driving on public roads from certain commercial vehicle regulations during planting and harvest seasons for good reason. This rule, as written, will classify farmers who operate under a crop-share lease as contract carriers, which will deny them access to the state of Ohio's commercial driver's license (CDL) exemption. As a result, these farmers would be required to obtain a CDL. This defeats the sole purpose of state laws that were put in place to ensure that farmers have the ability to haul necessary supplies to the farm, and to transport crops which they have grown from field to market.

The operators of these farm vehicles are not long haul-truckers; they are our nation's food producers. The justification used for requiring commercial truck drivers to obtain a CDL and carry certain medical documents is not applicable to farmers. Farmers do not pose the risks inherent in long-haul commercial transportation. They do not drive the extended hours or distances that carry the risk of falling asleep at the wheel or experiencing medical emergencies while on the road. They also do not operate on interstates or carry passengers. Rather, they operate in largely rural areas and use the roadways only to move agriculture products, supplies or machinery from one area to another nearby. More often than not, these vehicles will not encounter any other commuter traffic. The FMCSA should interpret the regulations so that those farmers who operate under a crop-share lease are not considered contract carriers and are exempt from the CDL law where a state has chosen to utilize that exemption.

The agriculture sector is one of the few areas where the American economy has not fallen behind the economies of foreign countries. New regulations could slow the growth of the only American industry that creates a trade surplus. The current standards provide sufficient protection for the public. There would be no public benefit in this proposed rule to account for the added burdensome and costly regulations imposed on our country's food producers.

Sincerely,



Robert E. Latta

REL/ss

Cc: John Mica, Chairman of the House Committee on Transportation and Infrastructure
Frank Lucas, Chairman of the House Committee on Agriculture