

April 26, 2018

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, DC 20515

Re: Groups Urge You to Vote NO on Amendments 140 (Denham) and 159 (Duncan) to H.R. 4, the FAA Reauthorization Act of 2018.

Dear Speaker Ryan and Leader Pelosi:

The House is expected to vote soon on H.R. 4, the FAA Reauthorization Act of 2018. This letter is to express strong opposition to two amendments that have been made in order, each of which would weaken important rights for commercial truckers and victims injured in crashes.

Amendment 140 (Denham)

We join the teamsters, consumer groups and safety organizations that have already written to House members expressing deep concern about this amendment, which would overturn state laws that govern working conditions for truckers (also known as the “meal and rest break” provision). Providing safe working conditions for commercial drivers and civil remedies in the event of an accident, injury or fatality are among the most basic and traditional of state functions. States should have leeway to determine what safety rules make sense for their own drivers and allow recoveries for those who have been harmed. This amendment would prevent states from having any authority in this area. Over the years, Congress has repeatedly rejected such intrusions into state authority. We urge you to continue to reject any language that would preempt state protections for truck drivers, and vote no on this amendment.

Amendment 159 (Duncan)

We also strongly oppose the Duncan amendment, which would result in immunity for broker/shipper companies that negligently hire unsafe trucking companies that cause crashes. Broker/shipper companies are the intermediaries that hire trucking companies that transport goods, so their hiring decisions can have enormous safety implications. They are already incentivized to cut safety corners with normal rules in place, i.e., hiring the cheapest contractor available. The last thing Congress should be doing is passing legislation that would weaken their legal accountability when their negligent hiring leads to deaths or injuries. This is all the more important because under current law, commercial vehicles are grossly underinsured. The insurance minimum requirement is only \$750,000, a limit that has not been increased in over 30

years. That means in order for victims with severe injuries to have any meaningful remedy, a negligent broker/shipper must share legal responsibility.

We urge you to oppose amendments 140 (Denham) and 159 (Duncan) to H.R. 4, the FAA Reauthorization Act of 2018. For more information or any questions, please contact Joanne Doroshov, Executive Director, Center for Justice & Democracy, joanned@centerjd.org and Remington A. Gregg, Counsel for Civil Justice and Consumer Rights, Public Citizen, rgregg@citizen.org. Thank you.

Sincerely,

Alliance for Justice
Center for Justice & Democracy
Impact Fund
National Association of Consumer Advocates
National Consumers League
Public Citizen
Texas Watch