



Bill Graves
President and Chief Executive Officer

January 19, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

Timing is everything, and the timing of your January 18, 2011 “Improving Regulation and Regulatory Review” Executive Order could not have been better. And, the choice of words in your Wall Street Journal opinion piece describing this new government-wide directive is as good as your timing.

In your WSJ piece, you stated “...we have, from time to time, embraced common sense rules of the road that strengthen our country without unduly interfering with the pursuit of progress and the growth of our economy.” The trucking industry, overwhelmingly comprised of small businesses, agrees—we have indeed embraced such rules. Perhaps no better example of one such “rule of the road” applies to the 4 million professional truckers using America’s roads—it’s the **Hours of Service (HOS) rule** governing driving and work time limits. The current HOS rule--in place for more than 7 years now—has strengthened the \$550 billion trucking industry and the huge slice of the U.S. economy that relies on trucks, while at the same time facilitating the most dramatic truck safety improvements our industry has ever seen.

The U.S. Department of Transportation (DOT) changed the HOS rule for truck drivers in 2004. That change was welcomed by trucking because, using your words, it struck “*the right balance.*” Since 2004, according to DOT, truck mileage increased by almost 10 billion miles (through ’08, the latest year available) and, more importantly, trucking has achieved historic lows in the three most significant highway safety-related measures: fatal, injury, and property damage crashes.

DOT’s HOS rule is a close relative to the Saccharin example you highlighted in your WSJ piece--only instead of two different federal agencies treating an issue differently, in DOT’s case, it’s the same Agency.

On Dec. 12, 2010, DOT’s Federal Motor Carrier Safety Administration (FMCSA) implemented a new truck safety oversight program called Compliance, Safety & Accountability (CSA) which, in large part, focuses government enforcement resources on the minority of truckers not complying with the HOS rule. Yet, just 17 days later, they claimed in a proposed rule (which would **change** the HOS rule) that the current HOS rule has little or no effect on carrier and driver safety. In implementing CSA, and requiring non-compliant truckers to outfit their trucks with more accurate electronic recording/logging systems (based on an April 2010 rule), DOT fully recognizes that compliance with the current HOS rule facilitates safer highways. In fact, DOT has data showing it.

Good stuff.

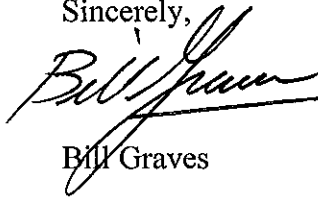


ATA Letter to President Obama
January 19, 2011

FMCSA's Dec. 29, 2010, proposed changes to the HOS rule are, using your words, "*just plain dumb*," and "*not worth the cost*" of making "*our economy less competitive*." The Agency's own analysis shows the rule's costs outweigh the safety benefits. Further the alleged health benefits are purely speculative and not based on data or science.

Mr. President, trucking is meeting its service and safety responsibilities. We ask that your DOT meet its responsibility to address safety and health issues with science and legitimate benefit-cost analyses. FMCSA's Dec. 29, 2010 HOS proposal fails on both accounts.

Sincerely,

A handwritten signature in black ink that reads "Bill Graves". The signature is written in a cursive style with a horizontal line underneath the name.

Bill Graves

Cc: Secretary Ray LaHood
U.S. Department of Transportation