

June 3, 2020

The Honorable Roger Wicker
Chairman of the Senate Committee Commerce,
Science and Transportation
555 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member on the Senate Committee
Commerce, Science and Transportation
511 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Wicker and Ranking Member Cantwell,

On behalf of the over 400-member companies of the National Stone, Sand, & Gravel Association (NSSGA), I welcome the Commerce Committee's hearing today titled *The State of Transportation and Critical Infrastructure: Examining the Impact of the COVID-19 Pandemic*. As you know, a strong and efficient supply chain is necessary for a competitive national economy. Given the recent COVID-19 pandemic and subsequent economic downturn, your committee's focus regarding our national supply chain and critical infrastructure is vital as businesses reopen and resume normal operations.

NSSGA is the leading advocate and resource for the aggregates industry, who provide the critical raw materials found in virtually every surface transportation project, including roads, highways, bridges, runways, pipelines and much more. Our membership represents more than 90 percent of the crushed stone and 70 percent of the sand and gravel produced annually in the United States. Further, aggregate producers are at the beginning of the construction supply chain, and the efficiency that our members can achieve through its supply chain networks has a direct impact on various industries down the supply chain, like contractors, home builders and road pavers.

Because of the nature and weight of materials NSSGA members transport, many in our industry move aggregate products via truck, the most popular mode of freight transportation. While your committee examines relevant policies that advances trucking efficiency and safety, NSSGA supports the recent Federal Motor Carrier Safety Administration (FMCSA)'s new Hours-of-Service (HOS) rule. The HOS rule harmonizes the on-duty operations of long-haul and short-haul truckers from 12 to 14 hours, expands the short-haul exemption from 100 to 150 air miles and broadens the situations covered by "adverse conditions".

While we support FMCSA's new HOS rule, we do encourage Congress to support a clear, uniform HOS exemption for thousands of companies involved in construction. Many construction companies must manage various trucks, raw materials, operations and routes at a single construction site and following compliance protocol is increasingly difficult. Despite FMCSA's recognition and effort to provide certain HOS exemptions for the construction industry, companies continue to have difficulty adhering to certain exemptions for either the vehicles they operate, the materials they transport, the drivers they employ or the routes utilized for a certain jobsite. Currently, FMCSA has granted or has pending HOS requests with multiple

construction industry associations, but narrow and individualized requests have resulted in misunderstanding among company management, drivers and law enforcement officials, all of whom must deal with daily compliance despite the variability previously described.

Aside from improving enforcement and ensuring the industry is better educated regarding HOS exemption, a uniform construction HOS exemption would also minimize the operation of highway and road work zones, where workers are exposed to traffic while critical paving and road refurbishment is conducted. A uniform HOS exemption would ensure that road work zones operate more efficiently, allowing a project's schedule to move expeditiously versus the current schedules. Currently, vehicles needed for project completion must wait or adhere to certain HOS rules, even in cases where a truck is only moving a few miles.

I appreciate your committee's leadership on this issue and continued work examining our national supply chain. As you continue to examine these issues and others related to trucking policy, please consider NSSGA as a resource.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Johnson', with a long horizontal flourish extending to the right.

Michael W. Johnson
President and CEO
National Stone, Sand and Gravel Association

cc: Members of the Senate Commerce, Science and Transportation Committee