

July 20, 2021

The Honorable Chuck Schumer
Senate Majority Leader
S-221, The Capitol
Washington, DC 20510

The Honorable Dick Durbin
Senate Majority Whip
S-321, The Capitol
Washington, DC 20510

The Honorable Patty Murray
Assistant Democratic Leader
154 Russell Senate Office Building
Washington, DC 20510

The Honorable Debbie Stabenow
Policy & Communications Committee Chairwoman
419 Hart Senate Office Building
Washington, DC 20510

Dear Senate Democratic Leadership,

As the Senate continues its work on a surface transportation reauthorization bill and negotiates the details of a bipartisan infrastructure package, we discourage members of the Democratic Conference from pursuing any increase in minimum liability insurance requirements for motor carriers. Such an increase is wholly unnecessary, would do nothing to improve highway safety, needlessly jeopardize countless blue collar jobs, destroy many small and family-owned businesses, and threaten necessary bipartisan support for any legislation that includes it.

Federal research on this issue has illustrated today's requirements are more than adequate, fully covering damages in over 99% of crashes involving a commercial motor vehicle. As required by MAP-21, the Federal Motor Carrier Safety Administration (FMCSA) commissioned the John A. Volpe National Transportation Systems Center to research this issue in greater detail. In 2014, Volpe released its report, which explained, "The **vast majority** of CMV-caused crashes have relatively small cost consequences, and the costs are easily covered with the limits of mandatory liability insurance". [Emphasis added] Volpe adds, "A small share exceed the mandatory minimum but are often covered by other insurance or assets." In fact, this study determined today's minimum insurance level adequately covers damages in all but 0.6% of crashes.

What studies haven't shown is any improvement to safety associated with increasing insurance requirements. Proposals to raise minimum liability coverage are nothing more than an opportunity for trial lawyers to receive higher payouts from settlements and decisions at the expense of American businesses. If this policy were to become law, we are concerned it would encourage more and increasingly costly lawsuits against our members for crashes in which they are most often not responsible.

It's important to remember increasing motor carriers' minimum liability requirements would affect all businesses transporting property, not just long-haul trucking operations. As illustrated by the diversity of our coalition, the impact would be felt in many sectors of the economy that have been working to help our nation recover from the COVID-19 pandemic, including the agriculture, construction, manufacturing, towing, and materials industries. Raising insurance minimums for countless businesses engaged in trucking would undoubtedly cause many to shutter, leading to the loss of American jobs at the worst time possible. This policy clearly does not belong in legislation that is designed to rebuild our infrastructure and encourage economic growth.

Our coalition was encouraged that the Commerce, Science & Transportation Committee did not include an increase in their title of the Senate's highway bill, which recently passed with a strong bipartisan vote of 25-3. We believe the omission of this policy demonstrates there is not enough support for it to pass the

Senate as part of any bipartisan bill. In fact, we believe the inclusion of this policy in either an infrastructure package or highway bill would threaten necessary bipartisan support for the measure.

Preventing an increase in insurance requirements will help protect American jobs and businesses, including countless small and family-owned businesses, from an unnecessary and excessive policy that would needlessly harm truckers, farmers, ranchers, towers, construction firms, manufacturers, and any other industries reliant upon trucking. We strongly discourage you from pursuing any such provision in the next surface transportation reauthorization bill or an infrastructure package.

Thank you for your consideration.

Sincerely,

Agricultural Retailers Association
American Beekeeping Federation
American Concrete Pavement Association
American Concrete Pipe Association
American Concrete Pumping Association
American Dairy Coalition
American Farm Bureau Federation
American Forest and Paper Association
American Pipeline Contractors Association
American Sheep Industry Association
Associated Equipment Distributors
Colorado Motor Carriers Association
Concrete Foundations Association
Concrete Reinforcing Steel Institute
Consumer Brands Association
Customized Logistics and Delivery Association
Distribution Contractors Association
Energy Marketers of America
Georgia Motor Trucking Association
Hawaii Transportation Association
Kansas Motor Carriers Association
Livestock Marketing Association
Maine Motor Transport Association
Mid-West Truckers Association
Minnesota Trucking Association
Missouri Trucking Association
Motor Carriers of Montana
Motor Transport Association of Connecticut
National Aquaculture Association
National Asphalt Pavement Association
National Association of Small Trucking Companies
National Cattlemen's Beef Association
National Federation of Independent Business (NFIB)
National Grain and Feed Association
National Precast Concrete Association
National Ready Mixed Concrete Association
National Stone Sand and Gravel Association
National Utility Contractors Association

Nevada Trucking Association
New Hampshire Motor Transport Association
New Jersey Motor Truck Association
New Mexico Trucking Association
North American Millers' Association
North American Punjabi Trucking Association
North American Renderers Association
Owner-Operator Independent Drivers Association
Pet Food Institute
Port Drivers Association
Power and Communication Contractors Association
Precast/Prestressed Concrete Institute
Rhode Island Trucking Association, Inc.
South Carolina Trucking Association
South Dakota Trucking Association
Southwest Movers Association
Tennessee Trucking Association
Texas Trucking Association
Tilt-Up Concrete Association
Towing and Recovery Association of America, Inc
Truck Renting and Leasing Association
United Dairymen of Arizona
United Fresh Produce Association
United States Cattlemen's Association
Vermont Truck & Bus Association
Western States Trucking Association
Wyoming Trucking Association

cc: Members of the Senate Democratic Conference