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Senate Approves Senator Roberts' Amendment to Clarify Hours of Service Regulation for Agriculture

U.S. Senator Pat Roberts (R-Kan.), ranking member of the Senate Committee on Agriculture, Nutrition and Forestry, today announced that the Senate approved an important amendment he introduced, along with U.S. Senator Amy Klobuchar (D-Minn.), that clarifies a regulation hampering the ability of America's farmers to transport products and supplies at key times during planting and harvest.

"This amendment is a commonsense approach to simply clarify what is already existing law," said Senator Roberts. "It will provide our nation's farmers with the flexibility they need to feed an ever-growing nation and world."

At issue is the Federal Motor Carrier Safety Administration (FMCSA) misinterpretation of clear congressional intent set forth in The *Motor Carrier Safety Improvement Act*.

The *Motor Carrier Safety Improvement Act* expressly states that, "regulations prescribed by the Secretary regarding maximum driving and on-duty time for drivers used by motor carriers shall not apply during planting and harvest periods, as determined by each State, to drivers transporting agricultural commodities or farm supplies for agricultural purposes in a State if such transportation is limited to an area within a 100 air mile radius from the source of the commodities or the distribution point for the farm supplies."

Currently, FMCSA only allows for the transportation of a single farm supply – anhydrous ammonia – from any distribution point to a local farm retailer or to the ultimate consumer.

While anhydrous ammonia is perhaps the most widely used farm supply to be transported under the Ag Hours of Service regulations, many other critical farm supplies have been excluded because of the agency's interpretation. This severely hinders the flexibility farmers need during planting and harvesting seasons.

"Our amendment will reinforce what we believe is existing law by clarifying that a driver transporting farm supplies from source to retail, source to farm, and retail to farm is included in the Ag Hours of Service exemption," said Sen. Roberts.

The Roberts/Klobuchar Amendment to the Highway Bill was approved by voice vote. The Senate approved the Highway Bill late yesterday. The bill now goes to the House of Representatives for a debate and vote.