INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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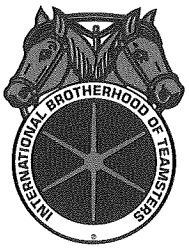

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November 19, 2015

House and Senate Conference Committee
on Surface Transportation Reauthorization Legislation
2167 Rayburn House Office Building
Washington, D.C. 20515

Dear Highway Bill Conferees:

As you begin to conference on H.R. 22, the Developing a Reliable and Innovative Vision for the Economy Act (DRIVE), legislation that will dictate highway policy for the next several years, I strongly urge you to remove language added by Representative Denham during the amendment process on the House floor that would deny commercial motor vehicle drivers meal and rest breaks that they are entitled to under state law.

In an effort to supposedly clarify which drivers may be subject to various state meal and rest break laws, the Denham amendment has gone way beyond that objective. Not only does it rob drivers of compensation for work performed other than actual driving, it also overturns decades of lawsuits and judgments awarded to drivers because employers knowingly broke the law and did not afford their workers an opportunity to take a state-mandated meal or rest break.

States have the right to establish the working conditions of their citizens. The Denham language would directly overturn that right. Under this proposal, states would no longer be able to regulate many of the commercial drivers who never even leave the boundaries of that state (intrastate drivers). Any driver who only drives in one state, but operates in "interstate" commerce because the goods they haul are destined for another state or nation, would no longer be afforded that state's legal protections. Such preemption by Congress would be a dramatic upending of state rights. The Teamsters believe that a driver who never leaves the state or works a clear majority of his/her time in one state should clearly be subject to the working conditions enacted to protect workers in that state.

The International Brotherhood of Teamsters has consistently fought against efforts which would undermine highway safety. We believe that eliminating meal and rest breaks for truckers would not only be a direct threat to worker rights, but would greatly increase fatigued driving and put more drivers and other motorists at risk. If that weren't enough, the language would overturn over two decades of cases on these issues. It would also repeal numerous court cases and decisions by states to pay drivers for work they perform, such as training, rest breaks and safety checks, not just their time behind the wheel. The House language amounts to nothing more than wage reductions for truck drivers and will lead to wide-spread abuse.

While much of the coverage on this issue has been focused on California, 19 other states have versions of a meal and/or rest break which could be undermined by this legislation, these include CO, CT, DE, IL, KY, ME, MA, MN, NE, NV, NH, NY, ND, OR, RI, TN, VT, WA, and WV.

Our nation deserves to have the certainty that comes from a well-funded, long term highway bill but not at the cost of rolling back basic protections for commercial drivers. On behalf of the 1.4 million members of the International Brotherhood of Teamsters and their families who work on our nation's highways, I strongly ask you to turn back these dangerous provisions in your conference negotiations and to respect the authority of states to set working conditions for their commercial drivers across our nation.

Sincerely,

James P. Hoffa

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General President