

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