

March 23, 2023

Dear Member of the Senate Committee on Appropriations:

The Federal Motor Carrier Safety Administration (FMCSA) is working to implement a speed limiter mandate that would restrict all heavy-duty commercial motor vehicles (CMVs) to a single top speed across the country. This mandate will be bad for road safety, crash rates, driver retention, and supply chain performance.

While a speed limiter mandate may be thought of as something affecting only the “trucking” industry, FMCSA’s proposal would apply to every commercial truck weighing over 26,000 pounds. Our coalition represents the numerous industries that would be subject to compliance and enforcement of this mandate, including agriculture, construction, and materials, along with small, medium, and large trucking companies and state trucking associations. We are asking you to prevent FMCSA from moving forward with this harmful and unnecessary mandate.

By establishing a one-size-fits-all federal mandate restricting heavy-duty CMVs to a speed that is separate from passenger vehicles, this regulation would create dangerous speed differentials between CMVs and other cars. Decades of highway research shows greater speed differentials increase interactions between truck drivers and other road users, and studies have consistently demonstrated that increasing interactions between vehicles directly increases the likelihood of crashes.<sup>1,2</sup>

In many states, this mandate would create split speed limits on two-lane rural roads, which are particularly hazardous. In these conditions, passenger vehicles that want to travel at the posted limit get stuck behind slower-moving trucks, increasing the number of passes they must make. Recently, states have been taking steps to reduce split speeds on their roads. For example, Montana has enacted legislation to reduce speed differentials between trucks and passenger vehicles, but FMCSA’s mandate would effectively roll back changes the state determined were necessary to improve safety on their roads.

In addition to safety concerns, a speed limiter mandate will make it more difficult for businesses to attract and retain truckers. Upon reviewing the nearly 16,000 public comments already submitted to the agency by stakeholders, it is clear the majority of drivers do not like operating speed-limited trucks, as it takes control of the vehicle out of their hands. Speed limiting trucks also increases pressure and stress on drivers to complete their work. Truckers required to operate below the posted speed limit must drive longer hours to cover the same distance, which increases their fatigue and places even greater stress on them to comply with burdensome hours-of-service regulations.

Finally, a speed limiter mandate would exacerbate supply chain challenges. By prohibiting trucks from traveling at the posted speed limit in certain areas, this mandate will literally slow down freight

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<sup>1</sup> David Solomon, *Accidents on Main Rural Highways Related to Speed, Driver, and Vehicle*, Bureau of Public Roads (1964)

<sup>2</sup> Johnson and Pawar, *Cost-Benefit Evaluation of Large Truck-Automobile Speed Limits Differentials on rural Interstate Highways*, Mack-Blackwell Rural Transportation Center (2005)

movement across the country. If the regulation is implemented, more trucks will be needed to carry the same amount of freight in the same amount of time, which also increases road congestion.

There is already a mechanism in place to address vehicle speeds: speed limits set and enforced by the states. In 1995, Congress repealed the national speed limit and gave states the power to establish speed limits for their roads. Since then, states have been able to design their roadways and set top speeds according to what they have determined to be safest for their specific needs and conditions. FMCSA's ongoing rulemaking ignores this long-standing authority.

We ask that you act today to stop this dangerous mandate and overreach by the federal government, which will negatively impact highway safety, supply chain efficiency and driver recruitment and retention.

Thank you,

Agricultural Retailers Association  
American Farm Bureau Federation  
American Pipeline Contractors Association  
Associated Equipment Distributors  
Customized Logistics and Delivery Association  
Distribution Contractors Association  
Livestock Marketing Association  
Mid-West Truckers Association  
Motor Carriers of Montana  
National Asphalt Pavement Association  
National Association of Small Trucking Companies  
National Cattlemen's Beef Association  
National Hay Association  
National Ready Mixed Concrete Association  
National Stone Sand and Gravel Association  
National Utility Contractors Association  
Nevada Trucking Association  
North American Punjabi Trucking Association  
Power and Communication Contractors Association  
Texas Trucking Association  
Towing and Recovery Association of America  
United States Cattlemen's Association  
Western States Trucking Association