



November 19, 2015

The Honorable James Inhofe
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Barbara Boxer
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Peter DeFazio
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

Dear Conferee,

The Power & Communication Contractors Association (PCCA) represents construction contractors, manufacturers, and suppliers that build and repair America's power and communications infrastructure, including electric transmission and distribution lines and substations and telephone, fiber optic, and cable television systems. PCCA supports passage of a robust, multi-year surface transportation bill and the inclusion of provisions that would lessen regulatory burdens subject to commercial drivers in the construction industry.

Hours-of-Service Provisions

PCCA members are subject to the "Hours of Service" (HOS) regulations overseen by the U.S. Department of Transportation's Federal Motor Carriers Safety Administration (FMCSA) while building new power and communications systems. While PCCA members fall under the exemption provided in § 395.1(n) of HOS regulations when responding to utility service calls to maintain and repair essential utility services, the exemption does not apply to new construction. Transportation legislation in both the House and the Senate includes language that would continue the suspension of certain HOS rules. Last year, Congress put a stay of enforcement on two 2013-regulations that 1) required a driver's 34-hour restart to include two 1 a.m. to 5 a.m. periods, and 2) limited the restart's use to once per week. PCCA strongly encourages Congress to include language to keep this suspension in place in the final transportation bill.

Commercial Drivers

The construction industry is facing workforce capacity challenges, both in recruiting new workers and retaining existing workers. As the industry continues to identify ways to ensure for an effective construction workforce, Congress should do everything possible to reduce regulatory burdens that obstruct opportunities for next-generation workers to enter the industry, including young drivers that require Commercial Drivers Licenses (CDL).

The Senate's DRIVE Act includes language that would enable states to enter into compacts allowing under-21 CDL holders to cross state lines. While those under 21 are currently allowed to obtain a CDL, they are only allowed to operate trucks intrastate. The Senate bill would change that by establishing a pilot program to allow under-21 CDL holders to drive interstate in the states that enter into agreements to allow it. An amendment that included a similar provision in the House bill failed during consideration of the House legislation. PCCA encourages conferees to include the Senate language allowing CDL holders under 21 years old to cross state lines in the final transportation bill.

Best regards,

Todd Myers
President-Elect, PCCA