



## VIRGINIA AGRIBUSINESS COUNCIL

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*We Represent Virginia Agribusiness with a Unified Voice*

May 27, 2009

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Virginia Congressional Delegation  
U. S. House of Representatives  
Washington, D. C. 20515

Dear Sirs:

On behalf of the members of the Virginia Agribusiness Council, we request your support for retention of the hours of service exemption for agricultural commodities and farm supplies as it exists in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users (SAFETEA-LU). It has come to our attention that an effort will be made during the reauthorization process for the Surface Transportation Act to eliminate this critical exemption for agriculture.

The agricultural hours of service exemption allows agricultural retailers to deliver necessary crop inputs, such as fertilizer and agricultural chemicals, during the planting and harvesting season as established in each state, so long as the delivery is within a 100-air mile radius. It also provides a necessary exemption for those harvesting and delivering agricultural commodities to their destination.

In Virginia, where the margin of profit for grains is low and the cost of transportation can be high, producers, farmer cooperatives, and agricultural retailers all work to maximize transportation of commodities, such as hauling a load of one product into a facility and then hauling another commodity back to the destination of origin. There are times when those who are harvesting the crops are also the drivers hauling them to their destination. This is especially true in grains such as wheat where there is a narrow window of harvest based on weather conditions.

This exemption, which was first codified in 1995, is vitally important to agribusinesses in the Commonwealth. A farmer's ability to produce a viable and profitable crop relies on timely input delivery and delivery of the product from the field to the market. Due to the fact that agribusinesses rely in large part on weather conditions, this delivery of inputs to the field, or hauling of the finished product to market are usually limited to a small window of opportunity. Without this exemption, the hours of service regulations result in unnecessary delays in providing these producers with the necessary inputs, and in transporting their products to market.

Our industry is committed to ensuring that agricultural commodities be delivered in a safe and secure manner and believe that allowing for the continued use of experienced, qualified and well-trained drivers to transport agricultural commodities and farm supplies during the busy spring planting and fall harvest is critical.

Please contact the House Transportation and Infrastructure Committee Chairman James Oberstar (D-Minn.) and the Ranking Member John Mica (R-Fla.) to let them know of your support for this vitally important exemption for agriculture. If we can provide you with any additional information on this matter, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie K. Frazier". The signature is fluid and cursive, with the first name "Katie" and the last name "Frazier" clearly distinguishable.

Katie K. Frazier  
Vice President- Public Affairs