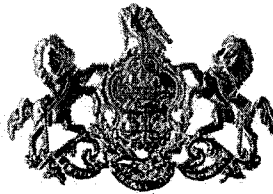


2745

**MIKE BRUBAKER**  
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**Senate of Pennsylvania**  
February 22, 2010



Arthur Coccodrilli, Chairman  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101

Re: Final-Form Version of Pennsylvania Department of Transportation Proposed  
Rulemaking on Intrastate Motor Carrier Safety Requirements - IRRC No. 2745,  
Reg. No. 18-414

Dear Chairman Coccodrilli:

The above referenced final-form rulemaking was recently brought to my attention by the Pennsylvania Farm Bureau. As a result of an "audit" of Pennsylvania's state highway safety regulations by the Federal Motor Carrier Administration of the U.S. Department of Transportation (DOT), the PA Department of Transportation (PennDOT) has proposed to remove existing exemptions for drivers of implements of husbandry and farm trucks from Pennsylvania regulations.

I appreciate the opportunity to comment.

This proposed change has the potential to greatly affect the 45,000 farm families in the Commonwealth. For example:

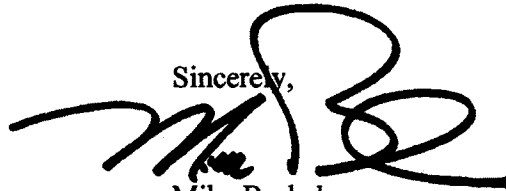
- No one under 18 years of age, including the farmer's children, will be permitted to legally operate a farm tractor or truck if it is pulling another implement when the combined weight is over 17,000 pounds.
- Any driver of a farm tractor or truck, if operating on a public road and towing another implement, will need to have medical certification and operators of farm trucks over 17,000 pounds will need the same certification, if operated more than 150 miles from the farm.
- For vehicles meeting the 17,000 pound threshold, driver's logs and employee recordkeeping will be required to document hours of operation, breaks, and more.
- Pre- and post-trip inspections must be conducted, maintenance documented and reports maintained and filed.

While I recognize that farm vehicle safety is of the utmost importance, especially when these vehicles operate on public roads, I believe the current proposal is excessive and in many cases only increases paperwork, but does not necessarily increase safety. I encourage you to consider the Pennsylvania Farm Bureau's comments carefully when determining your disposition of these regulations.

Further, I understand there may be a potential determination made by the Federal Motor Carrier Administration to clarify that 'tractors' do not meet the definition of "commercial vehicle" under these regulations, therefore extending the existing exemptions; I would be very supportive of such a determination and would encourage official documentation of any such clarification in the regulation. Although such a step would be very positive, it still leaves some agriculturalists under new regulations which may or may not actually improve safety.

Again, thank you for considering my thoughts on this matter. If I may provide any additional information of clarification, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Brubaker', with a large, stylized flourish extending to the right.

Mike Brubaker

Chairman

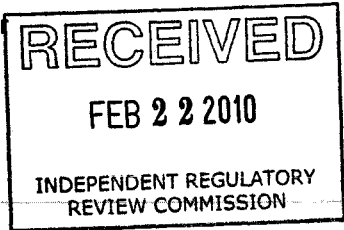
Senate Agriculture & Rural Affairs Committee

MWB/kjc

cc: The Honorable John C. Rafferty, Chair, Senate Transportation Committee  
The Honorable Barry J. Stout, Minority Chair, Senate Transportation Committee

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**From:** Stephens, Michael J.  
**Sent:** Tuesday, February 23, 2010 7:16 AM  
**To:** Kaufman, Kim; Wilmarth, Fiona E.; Gelnett, Wanda B.; IRRC  
**Cc:** Smith, James M.  
**Subject:** FW: please see the attached comment from Senator Brubaker  
**Attachments:** Brubaker letter to IRRC.PDF



FYI

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**From:** Crawford, Kristin [mailto:kebersole@pasen.gov]  
**Sent:** Monday, February 22, 2010 4:54 PM  
**To:** Smith, James M.; Stephens, Michael J.  
**Subject:** please see the attached comment from Senator Brubaker

For reg# 18-414

Kristin Crawford  
Legislative Director  
Executive Director,  
Senate Agriculture & Rural Affairs Committee  
Senator Mike Brubaker

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