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INDEPENDENT REGULATORY
REVIEW COMMISSION

2745

February 24, 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:

In recent weeks, a vast number of my constituents, many of whom are members of the Pennsylvania Farm Bureau, brought the above referenced rulemaking to my attention. A 2007 audit by the United States Department of Transportation (USDOT) determined that Pennsylvania's current state highway regulations for farm equipment were not comparable to federal standards. Pennsylvania 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.

The proposed changes would do a number of things which would be a detriment to farming throughout the Commonwealth. The changes would:

- Prohibit anyone under the age of 18, including the farmer's children to legally operate a farm tractor or farm truck equipped with a farm trailer when the combined weight is over 17,000 pounds;
- Require any driver of a farm tractor or farm truck, if operating on a public road and towing another implement, to be medically tested and have a certificate declaring the driver to be qualified to operate the vehicle if operated more than 150 miles from the farm;
- Requires drivers of farm equipment meeting the 17,000 pound threshold to record their driving hours and implement break times; and
- Requires pre-trip inspections and log post-trip reports on the vehicle's safety equipment.

Agriculture is Pennsylvania's number one industry. At the heart of this industry is the family farm. These regulations would place an undue burden on a family's ability to pursue the everyday activities with family farming. We need to be cognizant of passing laws and making regulations which help the industry, not hurt it. Implementing new, over-reaching regulations will only hinder hard-working farmers who are trying to get by during the tough economic climate. I encourage you to consider the Pennsylvania Farm Bureau's comments carefully when determining your disposition of these regulations.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Yaw", written in a cursive style.

GENE YAW
SENATOR

GY/arp

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

2745

From: Pankake, Adam [apankake@pasen.gov]
Sent: Wednesday, February 24, 2010 4:54 PM
To: Kaufman, Kim
Cc: Cooper, Kathy
Subject: Comments regarding Final-Form Version of Pennsylvania Department of Transportation
Attachments: Farm Vehicle Regs IRRC Letter FINAL.doc

Attached is Senator Yaw's Comments regarding Final-Form Version of Pennsylvania Department of Transportation Proposed

Rulemaking on Intrastate Motor Carrier Safety Requirements- IRRC No. 2745, Reg. No. 18-414. We sent out a hard copy, but we also wanted to send a copy by email because of the pending snow storm tomorrow.

If you have any additional questions, please feel free to contact me by this email or the number listed below.

Thank you,

**Adam Pankake, Executive Director
Urban Affairs and Housing Committee
Senator Gene Yaw, Chairman
717-787-3280**

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