

November 30, 2017

Docket ID: FMCSA-2017-0297

Federal Motor Carrier Safety Administration  
U. S. Department of Transportation  
1200 New Jersey Avenue S.E.  
West Building, Ground Floor, Room W12-140  
Washington, DC 20590-0001

The American Quarter Horse Association (AQHA) appreciates the opportunity to comment on the *Hours of Service of Drivers: Application for Exemption; National Pork Producers Council (NPPC)*. The AQHA supports the exemption and requests a one year delay to address the additional issues created by changes to 49 CFR Part 395.

The American Quarter Horse Association (AQHA) located in Amarillo, Texas represents more than 250,000 members. We are deeply concerned about the impending Federal Motor Carrier Safety Administration's (FMCSA) Electronic Logging Device (ELD) mandate. AQHA members are involved in showing, racing, ranching, rodeos and recreation, and it is common for AQHA members to haul their horses interstate over long distances.

We encourage the Department of Transportation to grant a one-year enforcement delay followed by a waiver and limited exemptions from compliance with the December 18, 2017 implementation date for the Final Rule on ELDs and Hours of Service (HOS). This will allow the Department the opportunity to take appropriate steps to alleviate any unintended consequences that this mandate may have on the hauling of horses.

Despite its being issued nearly two years ago, awareness for this rule is low among the equine industry. The lack of outreach by the FMCA to livestock industry stakeholders has led to this lack of awareness. Furthermore, by failing to reach out to the livestock industry, education and compliance will be difficult to achieve without granting an exemption from the ELD mandate.

The welfare and safety of the livestock in transit is a top priority for the livestock industry and statistics show that livestock transporters account for an extremely small percentage of fatal accidents.<sup>1</sup> A hauler is faced with many considerations when transporting horses including the vulnerability of horses to the elements and changes thereto. The longer horses remain on trailers

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<sup>1</sup> See The Large Truck Crash Causation Study conducted by the FMCSA and the *Trucks Involved In Fatal Accidents Factbook 2005* conducted by the Transportation Research Institute.

is detrimental to the welfare and safety of the horses. In fact, industry guidelines mandate that drivers avoid stops while hauling livestock, especially in warmer climates. HOS rules mandating a hauler to stop for 10 hours would require the hauler to find a safe and compatible place to offload the horses. Such places are not as ubiquitous as truck stops. The constant offloading/reloading and comingling of horses by haulers for periods of time at indiscriminate locations presents a significant safety and biosecurity risk for the industry and, among other things, fosters conditions conducive to the development of contagious disease and spread thereof.

Domestic transit of our competition and breeding horses is critical to the business continuity of our industry. Per American Horse Council statistics, the horse show industry involves 2.7 million horses, has a \$28.7 billion economic impact and supports 380,416 jobs. Our members are concerned about the negative impacts to standards in welfare, biosecurity and cost caused by these mandates.

In conclusion, more time is needed to reach out to the horse industry, and ensure that industry education programs include ELD compliance and use. Unfortunately, confusion and possible misunderstandings regarding enforcement are resulting in substantial concern over apparent incompatibilities between the HOS rule and the realities of livestock hauling. A one year exemption will provide the horse industry the opportunity to educate members and allow the opportunity for FMCSA to develop livestock specific solutions to the ELD and underlying HOS concerns of the industry.

Sincerely,



Craig P. Huffhines  
AQHA Executive Vice President