

Congress of the United States
Washington, DC 20515

January 20, 2021

Ms. Meera Joshi
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE
Washington, D.C. 20590

Dear Deputy Administrator Joshi:

We write today in support of the State of New Hampshire's request for a waiver from certain obligations required under the new Entry-Level Driver Training regulation.

Vehicle and driver safety is our first priority, and we join New Hampshire's trucking industry in their support for this rules' underlying objective to make roads safer for all users of our roads and highways, including commercial and non-commercial drivers, passengers, and others. However, as New Hampshire motor carriers prepare for the February 7, 2022 implementation of the regulation, they are facing significant difficulties resulting from a conflict between state and federal law and therefore need immediate relief.

The New Hampshire Department of Safety has submitted a request for a temporary waiver from certain requirements established under 49 C.F.R. § 380 that concern state certification of driving instructors.¹ We urge the Federal Motor Carrier Safety Administration to grant the waiver, which will allow the New Hampshire commercial transportation industry to continue operations and prevent the disruption of many of those companies' in-house commercial driver training pipeline. Legislation has been introduced in the New Hampshire legislature to address this conflict and we expect the conflict between state and federal law to be resolved expeditiously, but this waiver is important to prevent our state's trucking industry from experiencing undue disruption.

¹ Specifically the definition of a behind-the-wheel (BTW) instructor as defined in 49 C.F.R. § 380.605, the definition of a theory instructor as defined in 49 C.F.R. § 380.605, and the requirement for listing on the training provider registry as determined by 49 C.F.R. § 380.703(a)(5)(i).

We appreciate your leadership and attention to this important matter, and we thank you for your consideration of this request.

Sincerely,



Margaret Wood Hassan
United States Senator



Jeanne Shaheen
United States Senator



Ann McLane Kuster
Member of Congress



Chris Pappas
Member of Congress