

March 7, 2013

The Honorable Pat Roberts  
U.S. Senate  
109 Hart Senate Office Building  
Washington, DC 20510

The Honorable Heidi Heitkamp  
U.S. Senate  
G55 Dirksen Senate Office Building  
Washington, DC 20510

Dear Sens. Roberts and Heitkamp :

The undersigned agricultural groups appreciate your leadership in introducing S. 485 to reduce the regulatory burdens for farmers and custom harvesters. S. 485 would exempt certain class A Commercial Drivers License (CDL) holders from the burdensome requirement of obtaining a Hazardous Material (HM) endorsement while transporting more than 118 gallons of diesel fuel.

Current federal law makes it very difficult for farmers and custom harvesters to transport the amount of fuel necessary for a single day of field operations with today's agricultural equipment. Class A CDL holders cannot haul more than 118 gallons of diesel fuel without an HM endorsement, which can be costly and time-consuming to obtain.

Some of today's farm equipment, such as large combines and cotton pickers, have fuel tank capacities of 250 gallons or more. Restricting a farmer or harvester to hauling only 118 gallons at a time forces them to make multiple trips to refuel. This is a waste of valuable time and money during the busiest time of the year.

Your legislation would allow agricultural producers, custom harvesters, agricultural retailers, agricultural business employees and agricultural cooperative employees with Class A CDLs to haul up to 1,000 gallons of diesel fuel if the service vehicle is clearly marked with a label reading "Diesel Fuel," without having to obtain an HM endorsement. This bill is similar to existing exemption for drivers with Class B Restricted CDLs (§383.3 (f)(3)(v)).

S. 485 would help the agricultural industry operate more efficiently and recognize the needs of modern production agriculture. We appreciate your efforts and encourage other members of Congress to support you in this effort.

Sincerely,

Agricultural & Food Transporters Conference  
American Farm Bureau Federation  
American Soybean Association  
Association of Equipment Manufacturers  
Kansas Agribusiness Retailers Association  
Kansas Cooperative Council  
Kansas Grain & Feed Association  
Montana Grain Growers Association  
National Association of Wheat Growers  
National Barley Growers Association

National Corn Growers Association  
National Sorghum Producers  
National Sunflower Association  
U.S. Canola Association  
U.S. Custom Harvesters, Inc.  
U.S. Dry Pea & Lentil Council



**Kansas Grain & Feed Association**  
**Kansas Cooperative Council**  
**Kansas Agribusiness Retailers Association**



March 5, 2013



The Honorable Pat Roberts  
U.S. Senate  
109 Hart Senate Office Building  
Washington, DC 20510

The Honorable Heidi Heitkamp  
U.S. Senate  
G55 Dirksen Senate Office Building  
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Dear Senators Roberts and Heitkamp,

We appreciate your leadership in introducing legislation allowing increased flexibility in the transportation of diesel fuel. The bill will allow certain agricultural producers and agribusinesses to haul 1000 gallons or less of diesel fuel on a class A commercial drivers license (CDL) without the requirement of obtaining a hazardous materials endorsement.

We are very pleased that this legislation applies to both producers and agribusinesses. As you know, our three associations represent the grain handlers and agribusiness retailers in Kansas, including independent and cooperative businesses, that use diesel fuel in their operations. While many of our members will need to maintain a hazardous materials endorsement for other reasons, others will find this additional flexibility beneficial to their operations. It may allow opportunities to improve staff efficiencies, increasing the overall effectiveness of the agribusiness.

We look forward to working with you both, and your staff members, to advance this common-sense legislation for the benefit of rural America, agricultural producers and agribusiness. Thank you, again, for your leadership on this issue and your efforts to increase flexibility in regulation.

Sincerely,

Tom R. Tunnell, President  
Kansas Grain & Feed Assoc.  
Kansas Agribusiness Retailers Assoc.

Leslie J. Kaufman, President/CEO  
Kansas Cooperative Council