



November 6, 2017

The Honorable Elaine Chao
Secretary, U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Secretary Chao:

Re: Request Delay Implementing Final Rule on Electronic Logging Devices (ELD)

Western Growers Association is an agricultural association representing growers, packers, and shippers of fresh vegetables, fruit, and tree nuts. Our growers/shippers represent nearly 50 percent of the U.S. production, with members primarily located in the states of California, Arizona, Colorado, and New Mexico. The members also have operations in two dozen additional states.

Growers of fresh perishable agricultural commodities are almost entirely reliant on independent owner operators for transporting their fresh crops to markets throughout the United States. Due to the perishable nature of fresh vegetables and fruits, it is critical that farmers have an adequate supply of refrigerated equipment to transport their harvested crops to various markets. It has become readily apparent that many, if not most, of the independent owner operators who specialize in hauling perishable agricultural commodities will not be able or prepared to comply with the December 18, 2017 ELD implementation date. A further impediment to meeting this deadline is a lack of understanding on enforcement among the vast majority of independent owner operators regarding the ELD mandate.

Unless the Department of Transportation grants a compliance extension, growers will most likely face a sizeable shortage of available specialized refrigerated transportation services. The lack of equipment will have a direct impact on the ability for growers to meet their harvest schedules and move their crops to market, resulting in spoilage, and in turn, shortages of fresh vegetables and fruit throughout the distribution chain.

Granting an extension of at least one year is in the public interest, ensuring that there will be an uninterrupted distribution of fresh perishable commodities and availability for U.S. consumers.

Western Growers, therefore, urges the Department of Transportation to grant our request by delaying the ELD implementation mandate for a minimum of one year.

Sincerely,


Matthew M. McInerney
Senior Executive Vice President