



February 5, 2016

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
Washington, DC 20515

The Honorable Peter DeFazio
Ranking Member
Committee on Transportation and Infrastructure
Washington, DC 20515

The Honorable Frank LoBiondo
Chairman
Committee on Transportation and Infrastructure
Subcommittee on Aviation
Washington, DC 20515

The Honorable Rick Larsen
Ranking Member
Committee on Transportation and Infrastructure
Subcommittee on Aviation
Washington, DC 20515

Dear Chairman Shuster, Ranking Member DeFazio, Subcommittee Chairman LoBiondo
and Subcommittee Ranking Member Larsen:

On behalf of the American Association for Justice (AAJ), we write in strong opposition to H.R. 4441, the Aviation Innovation, Reform, and Reauthorization (AIRR) Act. AAJ is an advocate for improving transportation safety standards, increased transparency and accountability, and a strong civil justice system to protect the safety and wellbeing of all Americans. In this capacity, AAJ robustly objects to H.R. 4441.

AAJ is committed to protecting workers from threats to their safety and wages. Rather than provide more protections to truck drivers and interstate motorists, the AIRR Act endangers drivers and the public by eradicating long-established state laws that allow drivers to receive meal and rest breaks at regular intervals during their long workday. These laws were specifically designed to reduce worker fatigue and to protect workers and the general public from workplace accidents, injuries and deaths. Nowhere are these protections needed more than in the employment of commercial truck drivers. In fact, it is difficult to fathom a class of worker whose fatigue has a greater capability of causing injuries and deaths than the commercial truck driver, who drives trucks exceeding 26,000 pounds and typically drives and works up to 14 hours a day.

Further, the AIRR Act also eradicates state laws that require all workers to be paid for all hours worked at the statutory minimum rate. These wage protections will cease for truck drivers under Section 611 of this bill and allow trucking companies to only pay drivers for the time they spend driving. Drivers typically spend several hours a day performing non-driving tasks, such as pre and post trip inspections, loading and unloading, maintenance, fueling, and waiting at lengthy weight checkpoints. In states like California, not paying workers for all hours worked is considered wage theft. This bill allows wage theft to be the acceptable and legal norm for truck drivers, who, on average, already do not command very high wages.

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Nearly 4,000 people die in large truck crashes each year and driver fatigue is the leading cause. Thus, Congress must work to improve safety, not create an environment where powerful industries thrive at the expense and general welfare of the public. For these reasons, we urge Congress to oppose H.R. 4441 and protect the health and welfare of truck drivers and the motoring public.

Sincerely,

A handwritten signature in cursive script that reads "Linda Lipsen".

Linda Lipsen
Chief Executive Officer
American Association for Justice