



United Association of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of the United States and Canada

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General Office File Reference:

TDG

December 9, 2015

Re: Welder Exemption from Federal Motor Carrier Safety Laws and Regulations

To: Business Managers of Pipeline Local Unions

Earlier this week General President Hite sent you a memo bearing tremendous news. This past Friday, President Barack Obama signed into law a landmark highway bill—the Fixing America’s Surface Transportation (FAST) Act—that includes an exemption to federal motor carrier safety laws and regulations covering virtually all of our pipeline welders with rig-equipped trucks. Securing an exemption of this nature from Congress is a rare and difficult feat. General President Hite touched on two of the key reasons for our success. First, we were able to tap into the political and legislative infrastructure the UA has built and capture the attention and support of elected leaders from both sides of the aisle. Second, we worked closely with the PLCA, speaking with one voice to Congress about our problem and how it could be solved.

I want to thank you for your support throughout this process. Many of you were asked to make calls to particular Members of the House or Senate and mobilize your members to do so. Without exception, you delivered. As you know, in addition to pursuing a Congressional exemption, we filed an application for a regulatory exemption with the Federal Motor Carrier Safety Administration (FMCSA). In light of the new law, we no longer need a regulatory exemption and expect to withdraw our application in short order. I note, however, that the letters you collected from rig welders helped us not only with our application to FMCSA, but also our outreach to Congress. Members of Congress were impressed to learn that nearly 2,200 letters from rig welders were sent to FMCSA in support of our application. I would be remiss not to recognize Danny Hendrix and Wade Pilgreen, who collected over 2,050 of those 2,200 letters and have worked closely with the Pipeline Department on this issue for many years.

Now that we have an exemption, we must see that it is applied to the fullest extent possible. To that end, I am attaching a Notice that rig welders should keep in their vehicles at all times. The Notice summarizes the exemption granted by Congress, attaches the section of the FAST Act setting forth the exemption, and provides guidance to the welders on what they should do if they are pulled over by an officer for failure to display a DOT number.

Bear in mind that Congress’s power to exempt the welders flows from its constitutional authority to regulate interstate commerce (i.e., commerce across state lines). UA rig welders typically travel to pipeline jobs in States other than their State of residence and they travel across State lines to jobs multiple times a year. Based on these facts and guidance provided by FMCSA, the UA’s position is that the typical rig welder is in interstate commerce and covered by the exemption at all times. Nevertheless, many States have laws requiring certain vehicle operators to register for intrastate DOT numbers if their vehicles are used for intrastate commerce (i.e., travel within their home state for commercial purposes). If you receive a report of a welder being told to register for an intrastate DOT number, please contact the Pipeline Department for assistance.

Thank you for your attention and, again, for your support. We will keep you apprised of notable issues and developments as we proceed with the implementation of the exemption.

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Yours truly,

Tom D. Gross
Director of Pipeline & Gas Distribution

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