

June 21, 2022

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Re. Section 23011 of the Bipartisan
Infrastructure Law (BIL)

Dear Secretary Buttigieg:

I am writing to you on behalf of the Intermodal Association of North America, the only transportation trade association that represents the combined interests of intermodal freight providers and customers. IANA represents more than 1,000 corporate members, including railroads, ocean carriers, ports, intermodal truckers and over-the-road highway carriers, intermodal marketing and logistic companies, and suppliers to the industry. Such suppliers include companies that design, manufacture, and maintain intermodal chassis. IANA appreciates the opportunity to share its views on Section 23011 of the Bipartisan Infrastructure Law (BIL) pertaining to side underride guards.

Safety on our nation's highways and that of the motoring public is, and always will be, a priority for the intermodal transportation industry. The cargo container is the purest representation of today's global commerce, responsible for moving 95 percent of the world's manufactured goods. By extension, intermodal chassis, which move the containers on interstates and secondary roads, are critical to our national supply chain. Safe and road-ready chassis are imperative to moving freight – and thus delivering essential products and materials – in the most efficient and expeditious manner possible. Given the impacts of the COVID-19 pandemic on the intermodal supply chain and the current unprecedented import cargo volumes that continue to arrive at major U.S. ports, intermodal freight system efficiency and capacity are more critical than ever.

Section 23011 of the BIL requires the Secretary to complete additional research on the effectiveness, feasibility, costs, and benefits of side underride guards before considering such requirements for trailers and semitrailers (including chassis). Recognizing the unique structural and operational aspects of intermodal chassis, Congress explicitly directed the U.S. Department of Transportation to examine these distinct features as well as the potential impacts of a side underride mandate on freight mobility and capacity. As USDOT prepares to undertake this research, IANA and its membership respectfully urge USDOT to thoroughly consider the strong safety record of intermodal chassis, the critical role chassis play in the efficient movement of goods, and any undue burdens a side underride mandate would place on the intermodal transportation sector.

Inspection and repair procedures for intermodal chassis are well-established and maintained throughout the country. According to chassis lessors, no fatalities have been identified over the last five years from side underride incidents involving intermodal chassis. Additionally, equipment in-service complications after departure from marine terminals and inland intermodal facilities are limited and accidents resulting from intermodal chassis equipment failures are exceedingly rare.

The addition of new side underride guards would increase the gross weight of the chassis which, when

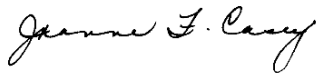
carrying containers loaded with cargo, could violate various state and federal maximum truck size and weight laws. Moreover, such added weight and redesigned chassis could impact the structural integrity of the equipment and cause dimensioning differences (e.g. such as road clearance). Standards for new and in-service equipment should be based on sound economic and engineering principles that improve safety, account for real-world operations, and consider unintended consequences.

A side underride guard mandate for intermodal chassis could also restrict the availability of these assets. Pulling over 750,000 intermodal chassis out of service for repairs and redesigns would create major operational challenges, as well as significant cost implications, leading to ripple effects throughout the supply chain in terms of chassis availability, congestion, freight movement/fluidity and land use. For example, at intermodal facilities (marine, rail, and depots) chassis are often stacked to maximize limited terminal space. Side underride guard requirements would decrease the number of chassis that can be stored within existing facilities, which would adversely impact terminal operations, efficiency, and yard space, which is currently at a minimum based on the congestion that is being experienced at these facilities. The addition of side underride guards may also require modifications to the design of yard equipment to move chassis on terminals as well as the specifically designed trailers used to ship chassis.

We urge you to consider the unique operations of intermodal chassis before advancing any new underride guard mandate. Given our membership's extensive knowledge of this issue and the serious adverse impacts a mandate could have on our industry and supply chains, we look forward to working with you on the implementation of these BIL provisions.

IANA remains committed to improving the safety of our nation's roadways and we appreciate your consideration of our views, as well as your leadership on this important issue.

Sincerely,



Joanne F. Casey
President and CEO
Intermodal Association of North America