

Truckload Fuel Surcharge Legislation

- Trucking companies, freight brokers, and freight forwarders providing truckload transportation services are required to use a fuel surcharge with their customers when the regional priced diesel fuel, as measured by the Department of Energy rises above \$1.15 per gallon. (\$1.15 is the standard surcharge baseline used in the trucking industry)
- No motor carrier would be at a competitive disadvantage for recovering their increased fuel costs through a surcharge.
- The size of the fuel surcharge is required to be the amount necessary to compensate the payer of fuel for the amount of the increase in the price of fuel.
- The fuel surcharge must be itemized on the freight bill or invoice to trucking customers.
- The bill would have **NO IMPACT ON THE FEDERAL BUDGET**. The CBO scored the fuel surcharge bill to have a zero impact on the federal budget.
- The federal government would have **no** regulatory or enforcement authority pertaining to this bill. Fuel surcharges would be enforced solely by the parties through private action.
- Trucking companies who do not pay for fuel and use owner-operators, and freight brokers who do not pay for fuel and use motor carriers, would be required to pass-through the fuel surcharge they collect from the shipper to the owner-operator or carrier who actually paid for the fuel.
- This act will not supplant or apply to any contract between a shipper and motor carrier that contains a fuel surcharge at the time of the bill's enactment. Shippers already paying a fuel surcharge would not have to pay any more.
- As a result of the bill, a small portion of higher fuel costs may be shared among the many beneficiaries of truck transportation, rather than the entire burden placed on small business truckers, putting them out of business. Large trucking corporations are already collecting surcharges from shippers.