

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Fixing America’s Surface Transportation Act” or the  
4 “FAST Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for  
6 this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—SURFACE TRANSPORTATION

- Sec. 1001. Definitions.
- Sec. 1002. Reconciliation of funds.
- Sec. 1003. Effective date.
- Sec. 1004. References.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

- Sec. 1101. Authorization of appropriations.
- Sec. 1102. Obligation ceiling.
- Sec. 1103. Definitions.
- Sec. 1104. Apportionment.
- Sec. 1105. Nationally significant freight and highway projects.
- Sec. 1106. National highway performance program.
- Sec. 1107. Emergency relief for federally owned roads.
- Sec. 1108. Railway-highway grade crossings.
- Sec. 1109. Surface transportation block grant program.
- Sec. 1110. Highway use tax evasion projects.
- Sec. 1111. Bundling of bridge projects.
- Sec. 1112. Construction of ferry boats and ferry terminal facilities.
- Sec. 1113. Highway safety improvement program.
- Sec. 1114. Congestion mitigation and air quality improvement program.
- Sec. 1115. Territorial and Puerto Rico highway program.
- Sec. 1116. National highway freight program.
- Sec. 1117. Federal lands and tribal transportation programs.
- Sec. 1118. Tribal transportation program amendment.
- Sec. 1119. Federal lands transportation program.
- Sec. 1120. Federal lands programmatic activities.
- Sec. 1121. Tribal transportation self-governance program.
- Sec. 1122. State flexibility for National Highway System modifications.
- Sec. 1123. Nationally significant Federal lands and tribal projects program.

Subtitle B—Planning and Performance Management

- Sec. 1201. Metropolitan transportation planning.

- Sec. 3028. Authorization of grants for positive train control.
- Sec. 3029. Amendment to title 5.
- Sec. 3030. Technical and conforming changes.

TITLE IV—HIGHWAY TRAFFIC SAFETY

- Sec. 4001. Authorization of appropriations.
- Sec. 4002. Highway safety programs.
- Sec. 4003. Highway safety research and development.
- Sec. 4004. High-visibility enforcement program.
- Sec. 4005. National priority safety programs.
- Sec. 4006. Tracking process.
- Sec. 4007. Stop motorcycle checkpoint funding.
- Sec. 4008. Marijuana-impaired driving.
- Sec. 4009. Increasing public awareness of the dangers of drug-impaired driving.
- Sec. 4010. National priority safety program grant eligibility.
- Sec. 4011. Data collection.
- Sec. 4012. Study on the national roadside survey of alcohol and drug use by drivers.
- Sec. 4013. Barriers to data collection report.
- Sec. 4014. Technical corrections.
- Sec. 4015. Effective date for certain programs.

TITLE V—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grant Consolidation

- Sec. 5101. Grants to States.
- Sec. 5102. Performance and registration information systems management.
- Sec. 5103. Authorization of appropriations.
- Sec. 5104. Commercial driver's license program implementation.
- Sec. 5105. Extension of Federal motor carrier safety programs for fiscal year 2016.
- Sec. 5106. Motor carrier safety assistance program allocation.
- Sec. 5107. Maintenance of effort calculation.

Subtitle B—Federal Motor Carrier Safety Administration Reform

PART I—REGULATORY REFORM

- Sec. 5201. Notice of cancellation of insurance.
- Sec. 5202. Regulations.
- Sec. 5203. Guidance.
- Sec. 5204. Petitions.
- Sec. 5205. Inspector standards.
- Sec. 5206. Applications.

PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM

- Sec. 5221. Correlation study.
- Sec. 5222. Beyond compliance.
- Sec. 5223. Data certification.
- Sec. 5224. Data improvement.
- Sec. 5225. Accident review.

Subtitle C—Commercial Motor Vehicle Safety

- Sec. 5301. Windshield technology.

- Sec. 5302. Prioritizing statutory rulemakings.
- Sec. 5303. Safety reporting system.
- Sec. 5304. New entrant safety review program.
- Sec. 5305. High risk carrier reviews.
- Sec. 5306. Post-accident report review.
- Sec. 5307. Implementing safety requirements.

#### Subtitle D—Commercial Motor Vehicle Drivers

- Sec. 5401. Opportunities for veterans.
- Sec. 5402. Drug-free commercial drivers.
- Sec. 5403. Medical certification of veterans for commercial driver's licenses.
- Sec. 5404. Commercial driver pilot program.

#### Subtitle E—General Provisions

- Sec. 5501. Delays in goods movement.
- Sec. 5502. Emergency route working group.
- Sec. 5503. Household goods consumer protection working group.
- Sec. 5504. Technology improvements.
- Sec. 5505. Notification regarding motor carrier registration.
- Sec. 5506. Report on commercial driver's license skills test delays.
- Sec. 5507. Electronic logging device requirements.
- Sec. 5508. Technical corrections.
- Sec. 5509. Minimum financial responsibility.
- Sec. 5510. Safety study regarding double-decker motorcoaches.
- Sec. 5511. GAO review of school bus safety.
- Sec. 5512. Access to National Driver Register.
- Sec. 5513. Report on design and implementation of wireless roadside inspection systems.
- Sec. 5514. Regulation of tow truck operations.
- Sec. 5515. Study on commercial motor vehicle driver commuting.
- Sec. 5516. Additional State authority.
- Sec. 5517. Report on motor carrier financial responsibility.
- Sec. 5518. Covered farm vehicles.
- Sec. 5519. Operators of hi-rail vehicles.
- Sec. 5520. Automobile transporter.
- Sec. 5521. Ready mix concrete delivery vehicles.
- Sec. 5522. Transportation of construction materials and equipment.
- Sec. 5523. Commercial delivery of light- and medium-duty trailers.
- Sec. 5524. Exemptions from requirements for certain welding trucks used in pipeline industry.
- Sec. 5525. Report.

#### TITLE VI—INNOVATION

- Sec. 6001. Short title.
- Sec. 6002. Authorization of appropriations.
- Sec. 6003. Technology and innovation deployment program.
- Sec. 6004. Advanced transportation and congestion management technologies deployment.
- Sec. 6005. Intelligent transportation system goals.
- Sec. 6006. Intelligent transportation system purposes.
- Sec. 6007. Intelligent transportation system program report.
- Sec. 6008. Intelligent transportation system national architecture and standards.

1 **SEC. 4015. EFFECTIVE DATE FOR CERTAIN PROGRAMS.**

2 Notwithstanding any other provision of this Act, ex-  
3 cept for the technical corrections in section 4014, the  
4 amendments made by this Act to sections 164, 402, and  
5 405 of title 23, United States Code, shall be effective on  
6 October 1, 2016.

7 **TITLE V—MOTOR CARRIER**  
8 **SAFETY**

9 **Subtitle A—Motor Carrier Safety**  
10 **Grant Consolidation**

11 **SEC. 5101. GRANTS TO STATES.**

12 (a) MOTOR CARRIER SAFETY ASSISTANCE PRO-  
13 GRAM.—Section 31102 of title 49, United States Code, is  
14 amended to read as follows:

15 **“§ 31102. Motor carrier safety assistance program**

16 “(a) IN GENERAL.—The Secretary of Transportation  
17 shall administer a motor carrier safety assistance program  
18 funded under section 31104.

19 “(b) GOAL.—The goal of the program is to ensure  
20 that the Secretary, States, local governments, other polit-  
21 ical jurisdictions, federally recognized Indian tribes, and  
22 other persons work in partnership to establish programs  
23 to improve motor carrier, commercial motor vehicle, and  
24 driver safety to support a safe and efficient surface trans-  
25 portation system by—

1           “(1) making targeted investments to promote  
2 safe commercial motor vehicle transportation, includ-  
3 ing the transportation of passengers and hazardous  
4 materials;

5           “(2) investing in activities likely to generate  
6 maximum reductions in the number and severity of  
7 commercial motor vehicle crashes and in fatalities  
8 resulting from such crashes;

9           “(3) adopting and enforcing effective motor car-  
10 rier, commercial motor vehicle, and driver safety reg-  
11 ulations and practices consistent with Federal re-  
12 quirements; and

13           “(4) assessing and improving statewide per-  
14 formance by setting program goals and meeting per-  
15 formance standards, measures, and benchmarks.

16           “(c) STATE PLANS.—

17           “(1) IN GENERAL.—In carrying out the pro-  
18 gram, the Secretary shall prescribe procedures for a  
19 State to submit a multiple-year plan, and annual up-  
20 dates thereto, under which the State agrees to as-  
21 sume responsibility for improving motor carrier safe-  
22 ty by adopting and enforcing State regulations,  
23 standards, and orders that are compatible with the  
24 regulations, standards, and orders of the Federal

1 Government on commercial motor vehicle safety and  
2 hazardous materials transportation safety.

3 “(2) CONTENTS.—The Secretary shall approve  
4 a State plan if the Secretary determines that the  
5 plan is adequate to comply with the requirements of  
6 this section, and the plan—

7 “(A) implements performance-based activi-  
8 ties, including deployment and maintenance of  
9 technology to enhance the efficiency and effec-  
10 tiveness of commercial motor vehicle safety pro-  
11 grams;

12 “(B) designates a lead State commercial  
13 motor vehicle safety agency responsible for ad-  
14 ministering the plan throughout the State;

15 “(C) contains satisfactory assurances that  
16 the lead State commercial motor vehicle safety  
17 agency has or will have the legal authority, re-  
18 sources, and qualified personnel necessary to  
19 enforce the regulations, standards, and orders;

20 “(D) contains satisfactory assurances that  
21 the State will devote adequate resources to the  
22 administration of the plan and enforcement of  
23 the regulations, standards, and orders;

24 “(E) provides a right of entry (or other  
25 method a State may use that the Secretary de-

1           termines is adequate to obtain necessary infor-  
2           mation) and inspection to carry out the plan;

3           “(F) provides that all reports required  
4           under this section be available to the Secretary  
5           on request;

6           “(G) provides that the lead State commer-  
7           cial motor vehicle safety agency will adopt the  
8           reporting requirements and use the forms for  
9           recordkeeping, inspections, and investigations  
10          that the Secretary prescribes;

11          “(H) requires all registrants of commercial  
12          motor vehicles to demonstrate knowledge of ap-  
13          plicable safety regulations, standards, and or-  
14          ders of the Federal Government and the State;

15          “(I) provides that the State will grant  
16          maximum reciprocity for inspections conducted  
17          under the North American Inspection Stand-  
18          ards through the use of a nationally accepted  
19          system that allows ready identification of pre-  
20          viously inspected commercial motor vehicles;

21          “(J) ensures that activities described in  
22          subsection (h), if financed through grants to  
23          the State made under this section, will not di-  
24          minish the effectiveness of the development and  
25          implementation of the programs to improve

1 motor carrier, commercial motor vehicle, and  
2 driver safety as described in subsection (b);

3 “(K) ensures that the lead State commer-  
4 cial motor vehicle safety agency will coordinate  
5 the plan, data collection, and information sys-  
6 tems with the State highway safety improve-  
7 ment program required under section 148(c) of  
8 title 23;

9 “(L) ensures participation in appropriate  
10 Federal Motor Carrier Safety Administration  
11 information technology and data systems and  
12 other information systems by all appropriate ju-  
13 risdictions receiving motor carrier safety assist-  
14 ance program funding;

15 “(M) ensures that information is ex-  
16 changed among the States in a timely manner;

17 “(N) provides satisfactory assurances that  
18 the State will undertake efforts that will em-  
19 phasize and improve enforcement of State and  
20 local traffic safety laws and regulations related  
21 to commercial motor vehicle safety;

22 “(O) provides satisfactory assurances that  
23 the State will address national priorities and  
24 performance goals, including—



1           “(i) activities aimed at removing im-  
2           paired commercial motor vehicle drivers  
3           from the highways of the United States  
4           through adequate enforcement of regula-  
5           tions on the use of alcohol and controlled  
6           substances and by ensuring ready roadside  
7           access to alcohol detection and measuring  
8           equipment;

9           “(ii) activities aimed at providing an  
10          appropriate level of training to State motor  
11          carrier safety assistance program officers  
12          and employees on recognizing drivers im-  
13          paired by alcohol or controlled substances;  
14          and

15          “(iii) when conducted with an appro-  
16          priate commercial motor vehicle inspection,  
17          criminal interdiction activities, and appro-  
18          priate strategies for carrying out those  
19          interdiction activities, including interdic-  
20          tion activities that affect the transpor-  
21          tation of controlled substances (as defined  
22          in section 102 of the Comprehensive Drug  
23          Abuse Prevention and Control Act of 1970  
24          (21 U.S.C. 802) and listed in part 1308 of  
25          title 21, Code of Federal Regulations, as

1 updated and republished from time to  
2 time) by any occupant of a commercial  
3 motor vehicle;

4 “(P) provides that the State has estab-  
5 lished and dedicated sufficient resources to a  
6 program to ensure that—

7 “(i) the State collects and reports to  
8 the Secretary accurate, complete, and  
9 timely motor carrier safety data; and

10 “(ii) the State participates in a na-  
11 tional motor carrier safety data correction  
12 system prescribed by the Secretary;

13 “(Q) ensures that the State will cooperate  
14 in the enforcement of financial responsibility re-  
15 quirements under sections 13906, 31138, and  
16 31139 and regulations issued under those sec-  
17 tions;

18 “(R) ensures consistent, effective, and rea-  
19 sonable sanctions;

20 “(S) ensures that roadside inspections will  
21 be conducted at locations that are adequate to  
22 protect the safety of drivers and enforcement  
23 personnel;

24 “(T) provides that the State will include in  
25 the training manuals for the licensing examina-

1           tion to drive noncommercial motor vehicles and  
2           commercial motor vehicles information on best  
3           practices for driving safely in the vicinity of  
4           noncommercial and commercial motor vehicles;

5           “(U) provides that the State will enforce  
6           the registration requirements of sections 13902  
7           and 31134 by prohibiting the operation of any  
8           vehicle discovered to be operated by a motor  
9           carrier without a registration issued under  
10          those sections or to be operated beyond the  
11          scope of the motor carrier’s registration;

12          “(V) provides that the State will conduct  
13          comprehensive and highly visible traffic enforce-  
14          ment and commercial motor vehicle safety in-  
15          spection programs in high-risk locations and  
16          corridors;

17          “(W) except in the case of an imminent  
18          hazard or obvious safety hazard, ensures that  
19          an inspection of a vehicle transporting pas-  
20          sengers for a motor carrier of passengers is  
21          conducted at a bus station, terminal, border  
22          crossing, maintenance facility, destination, or  
23          other location where a motor carrier may make  
24          a planned stop (excluding a weigh station);

1           “(X) ensures that the State will transmit  
2           to its roadside inspectors notice of each Federal  
3           exemption granted under section 31315(b) of  
4           this title and sections 390.23 and 390.25 of  
5           title 49, Code of Federal Regulations, and pro-  
6           vided to the State by the Secretary, including  
7           the name of the person that received the exemp-  
8           tion and any terms and conditions that apply to  
9           the exemption;

10           “(Y) except as provided in subsection (d),  
11           provides that the State—

12           “(i) will conduct safety audits of  
13           interstate and, at the State’s discretion,  
14           intrastate new entrant motor carriers  
15           under section 31144(g); and

16           “(ii) if the State authorizes a third  
17           party to conduct safety audits under sec-  
18           tion 31144(g) on its behalf, the State  
19           verifies the quality of the work conducted  
20           and remains solely responsible for the  
21           management and oversight of the activi-  
22           ties;

23           “(Z) provides that the State agrees to fully  
24           participate in the performance and registration  
25           information systems management under section

1           31106(b) not later than October 1, 2020, by  
2           complying with the conditions for participation  
3           under paragraph (3) of that section, or dem-  
4           onstrates to the Secretary an alternative ap-  
5           proach for identifying and immobilizing a motor  
6           carrier with serious safety deficiencies in a  
7           manner that provides an equivalent level of  
8           safety;

9           “(AA) in the case of a State that shares a  
10          land border with another country, provides that  
11          the State—

12                 “(i) will conduct a border commercial  
13                 motor vehicle safety program focusing on  
14                 international commerce that includes en-  
15                 forcement and related projects; or

16                 “(ii) will forfeit all funds calculated by  
17                 the Secretary based on border-related ac-  
18                 tivities if the State declines to conduct the  
19                 program described in clause (i) in its plan;  
20                 and

21                 “(BB) in the case of a State that meets  
22                 the other requirements of this section and  
23                 agrees to comply with the requirements estab-  
24                 lished in subsection (1)(3), provides that the  
25                 State may fund operation and maintenance

1 costs associated with innovative technology de-  
2 ployment under subsection (l)(3) with motor  
3 carrier safety assistance program funds author-  
4 ized under section 31104(a)(1).

5 “(3) PUBLICATION.—

6 “(A) IN GENERAL.—Subject to subpara-  
7 graph (B), the Secretary shall publish each ap-  
8 proved State multiple-year plan, and each an-  
9 nual update thereto, on a publically accessible  
10 Internet Web site of the Department of Trans-  
11 portation not later than 30 days after the date  
12 the Secretary approves the plan or update.

13 “(B) LIMITATION.—Before publishing an  
14 approved State multiple-year plan or annual up-  
15 date under subparagraph (A), the Secretary  
16 shall redact any information identified by the  
17 State that, if disclosed—

18 “(i) would reasonably be expected to  
19 interfere with enforcement proceedings; or

20 “(ii) would reveal enforcement tech-  
21 niques or procedures that would reasonably  
22 be expected to risk circumvention of the  
23 law.

24 “(d) EXCLUSION OF U.S. TERRITORIES.—The re-  
25 quirement that a State conduct safety audits of new en-

1 trant motor carriers under subsection (c)(2)(Y) does not  
2 apply to a territory of the United States unless required  
3 by the Secretary.

4 “(e) INTRASTATE COMPATIBILITY.—The Secretary  
5 shall prescribe regulations specifying tolerance guidelines  
6 and standards for ensuring compatibility of intrastate  
7 commercial motor vehicle safety laws, including regula-  
8 tions, with Federal motor carrier safety regulations to be  
9 enforced under subsections (b) and (c). To the extent  
10 practicable, the guidelines and standards shall allow for  
11 maximum flexibility while ensuring a degree of uniformity  
12 that will not diminish motor vehicle safety.

13 “(f) MAINTENANCE OF EFFORT.—

14 “(1) BASELINE.—Except as provided under  
15 paragraphs (2) and (3) and in accordance with sec-  
16 tion 5107 of the FAST Act, a State plan under sub-  
17 section (c) shall provide that the total expenditure of  
18 amounts of the lead State commercial motor vehicle  
19 safety agency responsible for administering the plan  
20 will be maintained at a level each fiscal year that is  
21 at least equal to—

22 “(A) the average level of that expenditure  
23 for fiscal years 2004 and 2005; or

24 “(B) the level of that expenditure for the  
25 year in which the Secretary implements a new

1 allocation formula under section 5106 of the  
2 FAST Act.

3 “(2) ADJUSTED BASELINE AFTER FISCAL YEAR  
4 2017.—At the request of a State, the Secretary may  
5 evaluate additional documentation related to the  
6 maintenance of effort and may make reasonable ad-  
7 justments to the maintenance of effort baseline after  
8 the year in which the Secretary implements a new  
9 allocation formula under section 5106 of the FAST  
10 Act, and this adjusted baseline will replace the main-  
11 tenance of effort requirement under paragraph (1).

12 “(3) WAIVERS.—At the request of a State, the  
13 Secretary may waive or modify the requirements of  
14 this subsection for a total of 1 fiscal year if the Sec-  
15 retary determines that the waiver or modification is  
16 reasonable, based on circumstances described by the  
17 State, to ensure the continuation of commercial  
18 motor vehicle enforcement activities in the State.

19 “(4) LEVEL OF STATE EXPENDITURES.—In es-  
20 timating the average level of a State’s expenditures  
21 under paragraph (1), the Secretary—

22 “(A) may allow the State to exclude State  
23 expenditures for federally sponsored demonstra-  
24 tion and pilot programs and strike forces;



1           “(B) may allow the State to exclude ex-  
2           penditures for activities related to border en-  
3           forcement and new entrant safety audits; and

4           “(C) shall require the State to exclude  
5           State matching amounts used to receive Federal  
6           financing under section 31104.

7           “(g) USE OF UNIFIED CARRIER REGISTRATION FEES  
8           AGREEMENT.—Amounts generated under section 14504a  
9           and received by a State and used for motor carrier safety  
10          purposes may be included as part of the State’s match  
11          required under section 31104 or maintenance of effort re-  
12          quired by subsection (f).

13          “(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—  
14          When approved as part of a State’s plan under subsection  
15          (c), the State may use motor carrier safety assistance pro-  
16          gram funds received under this section—

17                 “(1) if the activities are carried out in conjunc-  
18                 tion with an appropriate inspection of a commercial  
19                 motor vehicle to enforce Federal or State commercial  
20                 motor vehicle safety regulations, for—

21                         “(A) enforcement of commercial motor ve-  
22                         hicle size and weight limitations at locations,  
23                         excluding fixed-weight facilities, such as near  
24                         steep grades or mountainous terrains, where  
25                         the weight of a commercial motor vehicle can

1 significantly affect the safe operation of the ve-  
2 hicle, or at ports where intermodal shipping  
3 containers enter and leave the United States;  
4 and

5 “(B) detection of and enforcement actions  
6 taken as a result of criminal activity, including  
7 the trafficking of human beings, in a commer-  
8 cial motor vehicle or by any occupant, including  
9 the operator, of the commercial motor vehicle;  
10 and

11 “(2) for documented enforcement of State traf-  
12 fic laws and regulations designed to promote the  
13 safe operation of commercial motor vehicles, includ-  
14 ing documented enforcement of such laws and regu-  
15 lations relating to noncommercial motor vehicles  
16 when necessary to promote the safe operation of  
17 commercial motor vehicles, if—

18 “(A) the number of motor carrier safety  
19 activities, including roadside safety inspections,  
20 conducted in the State is maintained at a level  
21 at least equal to the average level of such activi-  
22 ties conducted in the State in fiscal years 2004  
23 and 2005; and

24 “(B) the State does not use more than 10  
25 percent of the basic amount the State receives

1           under a grant awarded under section  
2           31104(a)(1) for enforcement activities relating  
3           to noncommercial motor vehicles necessary to  
4           promote the safe operation of commercial motor  
5           vehicles unless the Secretary determines that a  
6           higher percentage will result in significant in-  
7           creases in commercial motor vehicle safety.

8           “(i) EVALUATION OF PLANS AND AWARD OF  
9 GRANTS.—

10           “(1) AWARDS.—The Secretary shall establish  
11           criteria for the application, evaluation, and approval  
12           of State plans under this section. Subject to sub-  
13           section (j), the Secretary may allocate the amounts  
14           made available under section 31104(a)(1) among the  
15           States.

16           “(2) OPPORTUNITY TO CURE.—If the Secretary  
17           disapproves a plan under this section, the Secretary  
18           shall give the State a written explanation of the rea-  
19           sons for disapproval and allow the State to modify  
20           and resubmit the plan for approval.

21           “(j) ALLOCATION OF FUNDS.—

22           “(1) IN GENERAL.—The Secretary, by regula-  
23           tion, shall prescribe allocation criteria for funds  
24           made available under section 31104(a)(1).

1           “(2) ANNUAL ALLOCATIONS.—On October 1 of  
2 each fiscal year, or as soon as practicable thereafter,  
3 and after making a deduction under section  
4 31104(c), the Secretary shall allocate amounts made  
5 available under section 31104(a)(1) to carry out this  
6 section for the fiscal year among the States with  
7 plans approved under this section in accordance with  
8 the criteria prescribed under paragraph (1).

9           “(3) ELECTIVE ADJUSTMENTS.—Subject to the  
10 availability of funding and notwithstanding fluctua-  
11 tions in the data elements used by the Secretary to  
12 calculate the annual allocation amounts, after the  
13 creation of a new allocation formula under section  
14 5106 of the FAST Act, the Secretary may not make  
15 elective adjustments to the allocation formula that  
16 decrease a State’s Federal funding levels by more  
17 than 3 percent in a fiscal year. The 3 percent limit  
18 shall not apply to the withholding provisions of sub-  
19 section (k).

20           “(k) PLAN MONITORING.—

21           “(1) IN GENERAL.—On the basis of reports  
22 submitted by the lead State agency responsible for  
23 administering a State plan approved under this sec-  
24 tion and an investigation by the Secretary, the Sec-

1       retary shall periodically evaluate State implementa-  
2       tion of and compliance with the State plan.

3               “(2) WITHHOLDING OF FUNDS.—

4                       “(A) DISAPPROVAL.—If, after notice and  
5                       an opportunity to be heard, the Secretary finds  
6                       that a State plan previously approved under  
7                       this section is not being followed or has become  
8                       inadequate to ensure enforcement of State reg-  
9                       ulations, standards, or orders described in sub-  
10                      section (c)(1), or the State is otherwise not in  
11                      compliance with the requirements of this sec-  
12                      tion, the Secretary may withdraw approval of  
13                      the State plan and notify the State. Upon the  
14                      receipt of such notice, the State plan shall no  
15                      longer be in effect and the Secretary shall with-  
16                      hold all funding to the State under this section.

17                      “(B) NONCOMPLIANCE WITHHOLDING.—In  
18                      lieu of withdrawing approval of a State plan  
19                      under subparagraph (A), the Secretary may,  
20                      after providing notice to the State and an op-  
21                      portunity to be heard, withhold funding from  
22                      the State to which the State would otherwise be  
23                      entitled under this section for the period of the  
24                      State’s noncompliance. In exercising this op-  
25                      tion, the Secretary may withhold—

1                   “(i) up to 5 percent of funds during  
2                   the fiscal year that the Secretary notifies  
3                   the State of its noncompliance;

4                   “(ii) up to 10 percent of funds for the  
5                   first full fiscal year of noncompliance;

6                   “(iii) up to 25 percent of funds for  
7                   the second full fiscal year of noncompli-  
8                   ance; and

9                   “(iv) not more than 50 percent of  
10                  funds for the third and any subsequent full  
11                  fiscal year of noncompliance.

12                  “(3) JUDICIAL REVIEW.—A State adversely af-  
13                  fected by a determination under paragraph (2) may  
14                  seek judicial review under chapter 7 of title 5. Not-  
15                  withstanding the disapproval of a State plan under  
16                  paragraph (2)(A) or the withholding of funds under  
17                  paragraph (2)(B), the State may retain jurisdiction  
18                  in an administrative or a judicial proceeding that  
19                  commenced before the notice of disapproval or with-  
20                  holding if the issues involved are not related directly  
21                  to the reasons for the disapproval or withholding.

22                  “(1) HIGH PRIORITY PROGRAM.—

23                  “(1) IN GENERAL.—The Secretary shall admin-  
24                  ister a high priority program funded under section

1       31104(a)(2) for the purposes described in para-  
2       graphs (2) and (3).

3           “(2) ACTIVITIES RELATED TO MOTOR CARRIER  
4       SAFETY.—The Secretary may make discretionary  
5       grants to and enter into cooperative agreements with  
6       States, local governments, federally recognized In-  
7       dian tribes, other political jurisdictions as necessary,  
8       and any person to carry out high priority activities  
9       and projects that augment motor carrier safety ac-  
10      tivities and projects planned in accordance with sub-  
11      sections (b) and (c), including activities and projects  
12      that—

13           “(A) increase public awareness and edu-  
14      cation on commercial motor vehicle safety;

15           “(B) target unsafe driving of commercial  
16      motor vehicles and noncommercial motor vehi-  
17      cles in areas identified as high risk crash cor-  
18      ridors;

19           “(C) improve the safe and secure move-  
20      ment of hazardous materials;

21           “(D) improve safe transportation of goods  
22      and persons in foreign commerce;

23           “(E) demonstrate new technologies to im-  
24      prove commercial motor vehicle safety;

1           “(F) support participation in performance  
2           and registration information systems manage-  
3           ment under section 31106(b)—

4           “(i) for entities not responsible for  
5           submitting the plan under subsection (c);  
6           or

7           “(ii) for entities responsible for sub-  
8           mitting the plan under subsection (c)—

9           “(I) before October 1, 2020, to  
10           achieve compliance with the require-  
11           ments of participation; and

12           “(II) beginning on October 1,  
13           2020, or once compliance is achieved,  
14           whichever is sooner, for special initia-  
15           tives or projects that exceed routine  
16           operations required for participation;

17           “(G) conduct safety data improvement  
18           projects—

19           “(i) that complete or exceed the re-  
20           quirements under subsection (c)(2)(P) for  
21           entities not responsible for submitting the  
22           plan under subsection (c); or

23           “(ii) that exceed the requirements  
24           under subsection (c)(2)(P) for entities re-



1                   sponsible for submitting the plan under  
2                   subsection (c); and

3                   “(H) otherwise improve commercial motor  
4                   vehicle safety and compliance with commercial  
5                   motor vehicle safety regulations.

6                   “(3) INNOVATIVE TECHNOLOGY DEPLOYMENT  
7                   GRANT PROGRAM.—

8                   “(A) IN GENERAL.—The Secretary shall  
9                   establish an innovative technology deployment  
10                  grant program to make discretionary grants to  
11                  eligible States for the innovative technology de-  
12                  ployment of commercial motor vehicle informa-  
13                  tion systems and networks.

14                  “(B) PURPOSES.—The purposes of the  
15                  program shall be—

16                         “(i) to advance the technological capa-  
17                         bility and promote the deployment of intel-  
18                         ligent transportation system applications  
19                         for commercial motor vehicle operations,  
20                         including commercial motor vehicle, com-  
21                         mercial driver, and carrier-specific infor-  
22                         mation systems and networks; and

23                         “(ii) to support and maintain com-  
24                         mercial motor vehicle information systems  
25                         and networks—

1                   “(I) to link Federal motor carrier  
2                   safety information systems with State  
3                   commercial motor vehicle systems;

4                   “(II) to improve the safety and  
5                   productivity of commercial motor vehi-  
6                   cles and drivers; and

7                   “(III) to reduce costs associated  
8                   with commercial motor vehicle oper-  
9                   ations and Federal and State commer-  
10                  cial motor vehicle regulatory require-  
11                  ments.

12                  “(C) ELIGIBILITY.—To be eligible for a  
13                  grant under this paragraph, a State shall—

14                  “(i) have a commercial motor vehicle  
15                  information systems and networks program  
16                  plan approved by the Secretary that de-  
17                  scribes the various systems and networks  
18                  at the State level that need to be refined,  
19                  revised, upgraded, or built to accomplish  
20                  deployment of commercial motor vehicle in-  
21                  formation systems and networks capabili-  
22                  ties;

23                  “(ii) certify to the Secretary that its  
24                  commercial motor vehicle information sys-  
25                  tems and networks deployment activities,

1 including hardware procurement, software  
2 and system development, and infrastruc-  
3 ture modifications—

4 “(I) are consistent with the na-  
5 tional intelligent transportation sys-  
6 tems and commercial motor vehicle in-  
7 formation systems and networks ar-  
8 chitectures and available standards;  
9 and

10 “(II) promote interoperability  
11 and efficiency to the extent prac-  
12 ticable; and

13 “(iii) agree to execute interoperability  
14 tests developed by the Federal Motor Car-  
15 rier Safety Administration to verify that  
16 its systems conform with the national intel-  
17 ligent transportation systems architecture,  
18 applicable standards, and protocols for  
19 commercial motor vehicle information sys-  
20 tems and networks.

21 “(D) USE OF FUNDS.—Grant funds re-  
22 ceived under this paragraph may be used—

23 “(i) for deployment activities and ac-  
24 tivities to develop new and innovative ad-  
25 vanced technology solutions that support

1 commercial motor vehicle information sys-  
2 tems and networks;

3 “(ii) for planning activities, including  
4 the development or updating of program or  
5 top level design plans in order to become  
6 eligible or maintain eligibility under sub-  
7 paragraph (C); and

8 “(iii) for the operation and mainte-  
9 nance costs associated with innovative  
10 technology.

11 “(E) SECRETARY AUTHORIZATION.—The  
12 Secretary is authorized to award a State fund-  
13 ing for the operation and maintenance costs as-  
14 sociated with innovative technology deployment  
15 with funds made available under sections  
16 31104(a)(1) and 31104(a)(2).”.

17 (b) COMMERCIAL MOTOR VEHICLE OPERATORS  
18 GRANT PROGRAM.—Section 31103 of title 49, United  
19 States Code, is amended to read as follows:

20 **“§ 31103. Commercial motor vehicle operators grant**  
21 **program**

22 “(a) IN GENERAL.—The Secretary shall administer  
23 a commercial motor vehicle operators grant program fund-  
24 ed under section 31104.

1           “(b) PURPOSE.—The purpose of the grant program  
2 is to train individuals in the safe operation of commercial  
3 motor vehicles (as defined in section 31301).

4           “(c) VETERANS.—In administering grants under this  
5 section, the Secretary shall award priority to grant appli-  
6 cations for programs to train former members of the  
7 armed forces (as defined in section 101 of title 10) in the  
8 safe operation of such vehicles.”.

9           (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
10 31104 of title 49, United States Code, as amended by this  
11 Act, is further amended on the effective date set forth in  
12 subsection (f) to read as follows:

13 **“§ 31104. Authorization of appropriations**

14           “(a) FINANCIAL ASSISTANCE PROGRAMS.—The fol-  
15 lowing sums are authorized to be appropriated from the  
16 Highway Trust Fund (other than the Mass Transit Ac-  
17 count):

18                   “(1) MOTOR CARRIER SAFETY ASSISTANCE PRO-  
19 GRAM.—Subject to paragraph (2) and subsection (c),  
20 to carry out section 31102 (except subsection (l))—

21                           “(A) \$292,600,000 for fiscal year 2017;

22                           “(B) \$298,900,000 for fiscal year 2018;

23                           “(C) \$304,300,000 for fiscal year 2019;

24                           and

25                           “(D) \$308,700,000 for fiscal year 2020.

1           “(2) HIGH PRIORITY ACTIVITIES PROGRAM.—  
2           Subject to subsection (c), to carry out section  
3           31102(1)—

4                   “(A) \$42,200,000 for fiscal year 2017;

5                   “(B) \$43,100,000 for fiscal year 2018;

6                   “(C) \$44,000,000 for fiscal year 2019; and

7                   “(D) \$44,900,000 for fiscal year 2020.

8           “(3) COMMERCIAL MOTOR VEHICLE OPERATORS  
9           GRANT PROGRAM.—To carry out section 31103—

10                   “(A) \$1,000,000 for fiscal year 2017;

11                   “(B) \$1,000,000 for fiscal year 2018;

12                   “(C) \$1,000,000 for fiscal year 2019; and

13                   “(D) \$1,000,000 for fiscal year 2020.

14           “(4) COMMERCIAL DRIVER’S LICENSE PROGRAM  
15           IMPLEMENTATION PROGRAM.—Subject to subsection  
16           (c), to carry out section 31313—

17                   “(A) \$31,200,000 for fiscal year 2017;

18                   “(B) \$31,800,000 for fiscal year 2018;

19                   “(C) \$32,500,000 for fiscal year 2019; and

20                   “(D) \$33,200,000 for fiscal year 2020.

21           “(b) REIMBURSEMENT AND PAYMENT TO RECIPI-  
22           ENTS FOR GOVERNMENT SHARE OF COSTS.—

23                   “(1) IN GENERAL.—Amounts made available  
24           under subsection (a) shall be used to reimburse fi-

1       nancial assistance recipients proportionally for the  
2       Federal Government's share of the costs incurred.

3           “(2) REIMBURSEMENT AMOUNTS.—The Sec-  
4       retary shall reimburse a recipient, in accordance  
5       with a financial assistance agreement made under  
6       section 31102, 31103, or 31313, an amount that is  
7       at least 85 percent of the costs incurred by the re-  
8       cipient in a fiscal year in developing and imple-  
9       menting programs under such sections. The Sec-  
10      retary shall pay the recipient an amount not more  
11      than the Federal Government share of the total  
12      costs approved by the Federal Government in the fi-  
13      nancial assistance agreement. The Secretary shall  
14      include a recipient's in-kind contributions in deter-  
15      mining the reimbursement.

16           “(3) VOUCHERS.—Each recipient shall submit  
17      vouchers at least quarterly for costs the recipient in-  
18      curs in developing and implementing programs  
19      under sections 31102, 31103, and 31313.

20           “(c) DEDUCTIONS FOR PARTNER TRAINING AND  
21      PROGRAM SUPPORT.—On October 1 of each fiscal year,  
22      or as soon after that date as practicable, the Secretary  
23      may deduct from amounts made available under para-  
24      graphs (1), (2), and (4) of subsection (a) for that fiscal  
25      year not more than 1.50 percent of those amounts for

1 partner training and program support in that fiscal year.  
2 The Secretary shall use at least 75 percent of those de-  
3 ducted amounts to train non-Federal Government employ-  
4 ees and to develop related training materials in carrying  
5 out such programs.

6 “(d) GRANTS AND COOPERATIVE AGREEMENTS AS  
7 CONTRACTUAL OBLIGATIONS.—The approval of a finan-  
8 cial assistance agreement by the Secretary under section  
9 31102, 31103, or 31313 is a contractual obligation of the  
10 Federal Government for payment of the Federal Govern-  
11 ment’s share of costs in carrying out the provisions of the  
12 grant or cooperative agreement.

13 “(e) ELIGIBLE ACTIVITIES.—The Secretary shall es-  
14 tablish criteria for eligible activities to be funded with fi-  
15 nancial assistance agreements under this section and pub-  
16 lish those criteria in a notice of funding availability before  
17 the financial assistance program application period.

18 “(f) PERIOD OF AVAILABILITY OF FINANCIAL AS-  
19 SISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDI-  
20 TURES.—The period of availability for a recipient to ex-  
21 pend funds under a grant or cooperative agreement au-  
22 thorized under subsection (a) is as follows:

23 “(1) For grants made for carrying out section  
24 31102, other than section 31102(l), for the fiscal



1 year in which the Secretary approves the financial  
2 assistance agreement and for the next fiscal year.

3 “(2) For grants made or cooperative agree-  
4 ments entered into for carrying out section  
5 31102(1)(2), for the fiscal year in which the Sec-  
6 retary approves the financial assistance agreement  
7 and for the next 2 fiscal years.

8 “(3) For grants made for carrying out section  
9 31102(1)(3), for the fiscal year in which the Sec-  
10 retary approves the financial assistance agreement  
11 and for the next 4 fiscal years.

12 “(4) For grants made for carrying out section  
13 31103, for the fiscal year in which the Secretary ap-  
14 proves the financial assistance agreement and for  
15 the next fiscal year.

16 “(5) For grants made or cooperative agree-  
17 ments entered into for carrying out section 31313,  
18 for the fiscal year in which the Secretary approves  
19 the financial assistance agreement and for the next  
20 4 fiscal years.

21 “(g) CONTRACT AUTHORITY; INITIAL DATE OF  
22 AVAILABILITY.—Amounts authorized from the Highway  
23 Trust Fund (other than the Mass Transit Account) by this  
24 section shall be available for obligation on the date of their

1 apportionment or allocation or on October 1 of the fiscal  
2 year for which they are authorized, whichever occurs first.

3 “(h) AVAILABILITY OF FUNDING.—Amounts made  
4 available under this section shall remain available until ex-  
5 pended.

6 “(i) REALLOCATION.—Amounts not expended by a  
7 recipient during the period of availability shall be released  
8 back to the Secretary for reallocation for any purpose  
9 under section 31102, 31103, or 31313 or this section to  
10 ensure, to the maximum extent possible, that all such  
11 amounts are obligated.”.

12 (d) CLERICAL AMENDMENT.—The analysis for chap-  
13 ter 311 of title 49, United States Code, is amended by  
14 striking the items relating to sections 31102, 31103, and  
15 31104 and inserting the following:

“31102. Motor carrier safety assistance program.

“31103. Commercial motor vehicle operators grant program.

“31104. Authorization of appropriations.”.

16 (e) CONFORMING AMENDMENTS.—

17 (1) SAFETY FITNESS OF OWNERS AND OPER-  
18 ATOR; SAFETY REVIEWS OF NEW OPERATORS.—Sec-  
19 tion 31144(g) of title 49, United States Code, is  
20 amended by striking paragraph (5).

21 (2) INFORMATION SYSTEMS; PERFORMANCE  
22 AND REGISTRATION INFORMATION PROGRAM.—Sec-  
23 tion 31106(b) of title 49, United States Code, is  
24 amended by striking paragraph (4).

1           (3) BORDER ENFORCEMENT GRANTS.—Section  
2           31107 of title 49, United States Code, and the item  
3           relating to that section in the analysis for chapter  
4           311 of that title, are repealed.

5           (4) PERFORMANCE AND REGISTRATION INFOR-  
6           MATION SYSTEM MANAGEMENT.—Section 31109 of  
7           title 49, United States Code, and the item relating  
8           to that section in the analysis for chapter 311 of  
9           that title, are repealed.

10          (5) COMMERCIAL VEHICLE INFORMATION SYS-  
11          TEMS AND NETWORKS DEPLOYMENT.—Section 4126  
12          of SAFETEA–LU (49 U.S.C. 31106 note), and the  
13          item relating to that section in the table of contents  
14          contained in section 1(b) of that Act, are repealed.

15          (6) SAFETY DATA IMPROVEMENT PROGRAM.—  
16          Section 4128 of SAFETEA–LU (49 U.S.C. 31100  
17          note), and the item relating to that section in the  
18          table of contents contained in section 1(b) of that  
19          Act, are repealed.

20          (7) GRANT PROGRAM FOR COMMERCIAL MOTOR  
21          VEHICLE OPERATORS.—Section 4134 of SAFETEA–  
22          LU (49 U.S.C. 31301 note), and the item relating  
23          to that section in the table of contents contained in  
24          section 1(b) of that Act, are repealed.

1           (8) MAINTENANCE OF EFFORT AS CONDITION  
2           ON GRANTS TO STATES.—Section 103(c) of the  
3           Motor Carrier Safety Improvement Act of 1999 (49  
4           U.S.C. 31102 note) is repealed.

5           (9) STATE COMPLIANCE WITH CDL REQUIRE-  
6           MENTS.—Section 103(e) of the Motor Carrier Safety  
7           Improvement Act of 1999 (49 U.S.C. 31102 note) is  
8           repealed.

9           (10) BORDER STAFFING STANDARDS.—Section  
10          218(d) of the Motor Carrier Safety Improvement  
11          Act of 1999 (49 U.S.C. 31133 note) is amended—

12                 (A) in paragraph (1) by striking “section  
13                 31104(f)(2)(B) of title 49, United States Code”  
14                 and inserting “section 31104(a)(1) of title 49,  
15                 United States Code”; and

16                 (B) by striking paragraph (3).

17          (11) WINTER HOME HEATING OIL DELIVERY  
18          STATE FLEXIBILITY PROGRAM.—Section 346 of the  
19          National Highway System Designation Act of 1995  
20          (49 U.S.C. 31166 note), and the item relating to  
21          that section in the table of contents in section 1(b)  
22          of that Act, are repealed.

23          (f) EFFECTIVE DATE.—The amendments made by  
24          this section shall take effect on October 1, 2016.

1 (g) TRANSITION.—Notwithstanding the amendments  
2 made by this section, the Secretary shall carry out sections  
3 31102, 31103, and 31104 of title 49, United States Code,  
4 and any sections repealed under subsection (e), as nec-  
5 essary, as those sections were in effect on the day before  
6 October 1, 2016, with respect to applications for grants,  
7 cooperative agreements, or contracts under those sections  
8 submitted before October 1, 2016.

9 **SEC. 5102. PERFORMANCE AND REGISTRATION INFORMA-**  
10 **TION SYSTEMS MANAGEMENT.**

11 Section 31106(b) of title 49, United States Code, is  
12 amended in the subsection heading by striking “PRO-  
13 GRAM” and inserting “SYSTEMS MANAGEMENT”.

14 **SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—Subchapter I of chapter 311 of  
16 title 49, United States Code, is amended by adding at the  
17 end the following:

18 **“§ 31110. Authorization of appropriations**

19 “(a) ADMINISTRATIVE EXPENSES.—There is author-  
20 ized to be appropriated from the Highway Trust Fund  
21 (other than the Mass Transit Account) for the Secretary  
22 of Transportation to pay administrative expenses of the  
23 Federal Motor Carrier Safety Administration—

24 “(1) \$267,400,000 for fiscal year 2016;

25 “(2) \$277,200,000 for fiscal year 2017;

1           “(3) \$283,000,000 for fiscal year 2018;

2           “(4) \$284,000,000 for fiscal year 2019; and

3           “(5) \$288,000,000 for fiscal year 2020.

4           “(b) USE OF FUNDS.—The funds authorized by this  
5 section shall be used for—

6           “(1) personnel costs;

7           “(2) administrative infrastructure;

8           “(3) rent;

9           “(4) information technology;

10           “(5) programs for research and technology, in-  
11 formation management, regulatory development, and  
12 the administration of performance and registration  
13 information systems management under section  
14 31106(b);

15           “(6) programs for outreach and education  
16 under subsection (c);

17           “(7) other operating expenses;

18           “(8) conducting safety reviews of new opera-  
19 tors; and

20           “(9) such other expenses as may from time to  
21 time become necessary to implement statutory man-  
22 dates of the Federal Motor Carrier Safety Adminis-  
23 tration not funded from other sources.

24           “(c) OUTREACH AND EDUCATION PROGRAM.—

1           “(1) IN GENERAL.—The Secretary may con-  
2           duct, through any combination of grants, contracts,  
3           cooperative agreements, and other activities, an in-  
4           ternal and external outreach and education program  
5           to be administered by the Administrator of the Fed-  
6           eral Motor Carrier Safety Administration.

7           “(2) FEDERAL SHARE.—The Federal share of  
8           an outreach and education project for which a grant,  
9           contract, or cooperative agreement is made under  
10          this subsection may be up to 100 percent of the cost  
11          of the project.

12          “(3) FUNDING.—From amounts made available  
13          under subsection (a), the Secretary shall make avail-  
14          able not more than \$4,000,000 each fiscal year to  
15          carry out this subsection.

16          “(d) CONTRACT AUTHORITY; INITIAL DATE OF  
17          AVAILABILITY.—Amounts authorized from the Highway  
18          Trust Fund (other than the Mass Transit Account) by this  
19          section shall be available for obligation on the date of their  
20          apportionment or allocation or on October 1 of the fiscal  
21          year for which they are authorized, whichever occurs first.

22          “(e) FUNDING AVAILABILITY.—Amounts made avail-  
23          able under this section shall remain available until ex-  
24          pended.

1       “(f) CONTRACTUAL OBLIGATION.—The approval of  
2 funds by the Secretary under this section is a contractual  
3 obligation of the Federal Government for payment of the  
4 Federal Government’s share of costs.”.

5       (b) CLERICAL AMENDMENT.—The analysis for chap-  
6 ter 311 of title 49, United States Code, is amended by  
7 adding at the end of the items relating to subchapter I  
8 the following:

“31110. Authorization of appropriations.”.

9       (c) CONFORMING AMENDMENTS.—

10           (1) ADMINISTRATIVE EXPENSES; AUTHORIZA-  
11 TION OF APPROPRIATIONS.—Section 31104 of title  
12 49, United States Code, is amended—

13                   (A) by striking subsection (i); and

14                   (B) by redesignating subsections (j) and  
15 (k) as subsections (i) and (j), respectively.

16           (2) USE OF AMOUNTS MADE AVAILABLE UNDER  
17 SUBSECTION (i).—Section 4116(d) of SAFETEA-  
18 LU (49 U.S.C. 31104 note) is amended by striking  
19 “section 31104(i)” and inserting “section 31110”.

20           (3) INTERNATIONAL COOPERATION.—Section  
21 31161 of title 49, United States Code, is amended  
22 by striking “section 31104(i)” and inserting “section  
23 31110”.

24           (4) SAFETEA-LU; OUTREACH AND EDU-  
25 CATION.—Section 4127 of SAFETEA-LU (119



1 Stat. 1741; Public Law 109–59), and the item relat-  
2 ing to that section in the table of contents contained  
3 in section 1(b) of that Act, are repealed.

4 **SEC. 5104. COMMERCIAL DRIVER’S LICENSE PROGRAM IM-**  
5 **PLEMENTATION.**

6 (a) IN GENERAL.—Section 31313 of title 49, United  
7 States Code, is amended to read as follows:

8 **“§ 31313. Commercial driver’s license program imple-**  
9 **mentation financial assistance program**

10 **“(a) FINANCIAL ASSISTANCE PROGRAM.—**

11 **“(1) IN GENERAL.—**The Secretary of Transpor-  
12 tation shall administer a financial assistance pro-  
13 gram for commercial driver’s license program imple-  
14 mentation for the purposes described in paragraphs  
15 (2) and (3).

16 **“(2) STATE COMMERCIAL DRIVER’S LICENSE**  
17 **PROGRAM IMPLEMENTATION GRANTS.—**In carrying  
18 out the program, the Secretary may make a grant  
19 to a State agency in a fiscal year—

20 **“(A)** to assist the State in complying with  
21 the requirements of section 31311; and

22 **“(B)** in the case of a State that is making  
23 a good faith effort toward substantial compli-  
24 ance with the requirements of section 31311, to  
25 improve the State’s implementation of its com-

1           commercial driver’s license program, including ex-  
2           penses—

3                   “(i) for computer hardware and soft-  
4           ware;

5                   “(ii) for publications, testing, per-  
6           sonnel, training, and quality control;

7                   “(iii) for commercial driver’s license  
8           program coordinators; and

9                   “(iv) to implement or maintain a sys-  
10          tem to notify an employer of an operator  
11          of a commercial motor vehicle of the sus-  
12          pension or revocation of the operator’s  
13          commercial driver’s license consistent with  
14          the standards developed under section  
15          32303(b) of the Commercial Motor Vehicle  
16          Safety Enhancement Act of 2012 (49  
17          U.S.C. 31304 note).

18               “(3) PRIORITY ACTIVITIES.—The Secretary  
19          may make a grant to or enter into a cooperative  
20          agreement with a State agency, local government, or  
21          any person in a fiscal year for research, development  
22          and testing, demonstration projects, public edu-  
23          cation, and other special activities and projects relat-  
24          ing to commercial drivers licensing and motor vehicle  
25          safety that—

1           “(A) benefit all jurisdictions of the United  
2 States;

3           “(B) address national safety concerns and  
4 circumstances;

5           “(C) address emerging issues relating to  
6 commercial driver’s license improvements;

7           “(D) support innovative ideas and solu-  
8 tions to commercial driver’s license program  
9 issues; or

10           “(E) address other commercial driver’s li-  
11 cense issues, as determined by the Secretary.

12           “(b) PROHIBITIONS.—A recipient may not use finan-  
13 cial assistance funds awarded under this section to rent,  
14 lease, or buy land or buildings.

15           “(c) REPORT.—The Secretary shall issue an annual  
16 report on the activities carried out under this section.

17           “(d) APPORTIONMENT.—All amounts made available  
18 to carry out this section for a fiscal year shall be appor-  
19 tioned to a recipient described in subsection (a)(3) accord-  
20 ing to criteria prescribed by the Secretary.

21           “(e) FUNDING.—For fiscal years beginning after  
22 September 30, 2016, this section shall be funded under  
23 section 31104.”.

24           (b) CLERICAL AMENDMENT.—The analysis for chap-  
25 ter 313 of title 49, United States Code, is amended by

1 striking the item relating to section 31313 and inserting  
2 the following:

“31313. Commercial driver’s license program implementation financial assistance program.”.

3 **SEC. 5105. EXTENSION OF FEDERAL MOTOR CARRIER SAFE-**  
4 **TY PROGRAMS FOR FISCAL YEAR 2016.**

5 (a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM  
6 GRANT EXTENSION.—Section 31104(a) of title 49, United  
7 States Code, is amended by striking paragraphs (10) and  
8 (11) and inserting the following:

9 “(10) \$218,000,000 for fiscal year 2015; and

10 “(11) \$218,000,000 for fiscal year 2016.”.

11 (b) EXTENSION OF GRANT PROGRAMS.—Section  
12 4101(c) of SAFETEA–LU (119 Stat. 1715; Public Law  
13 109–59) is amended to read as follows:

14 “(c) AUTHORIZATION OF APPROPRIATIONS.—The  
15 following sums are authorized to be appropriated from the  
16 Highway Trust Fund (other than the Mass Transit Ac-  
17 count):

18 “(1) COMMERCIAL DRIVER’S LICENSE PROGRAM  
19 IMPROVEMENT GRANTS.—For carrying out the com-  
20 mercial driver’s license program improvement grants  
21 program under section 31313 of title 49, United  
22 States Code, \$30,000,000 for fiscal year 2016.

1           “(2) BORDER ENFORCEMENT GRANTS.—For  
2 border enforcement grants under section 31107 of  
3 that title \$32,000,000 for fiscal year 2016.

4           “(3) PERFORMANCE AND REGISTRATION INFOR-  
5 MATION SYSTEMS MANAGEMENT GRANT PROGRAM.—  
6 For the performance and registration information  
7 systems management grant program under section  
8 31109 of that title \$5,000,000 for fiscal year 2016.

9           “(4) COMMERCIAL VEHICLE INFORMATION SYS-  
10 TEMS AND NETWORKS DEPLOYMENT.—For carrying  
11 out the commercial vehicle information systems and  
12 networks deployment program under section 4126 of  
13 this Act \$25,000,000 for fiscal year 2016.

14           “(5) SAFETY DATA IMPROVEMENT GRANTS.—  
15 For safety data improvement grants under section  
16 4128 of this Act \$3,000,000 for fiscal year 2016.”.

17       (c)       HIGH-PRIORITY       ACTIVITIES.—Section  
18 31104(j)(2) of title 49, United States Code, as redesign-  
19 nated by this subtitle, is amended by striking “2015” the  
20 first place it appears and all that follows through “for  
21 States,” and inserting “2016 for States,”.

22       (d)       NEW       ENTRANT       AUDITS.—Section  
23 31144(g)(5)(B) of title 49, United States Code, is amend-  
24 ed to read as follows:

1           “(B) SET ASIDE.—The Secretary shall set  
2           aside from amounts made available under sec-  
3           tion 31104(a) up to \$32,000,000 for fiscal year  
4           2016 for audits of new entrant motor carriers  
5           conducted under this paragraph.”.

6           (e) GRANT PROGRAM FOR COMMERCIAL MOTOR VE-  
7           HICLE OPERATORS.—Section 4134(c) of SAFETEA-LU  
8           (49 U.S.C. 31301 note) is amended to read as follows:

9           “(c) FUNDING.—From amounts made available  
10          under section 31110 of title 49, United States Code, the  
11          Secretary shall make available, \$1,000,000 for fiscal year  
12          2016 to carry out this section.”.

13          (f) COMMERCIAL VEHICLE INFORMATION SYSTEMS  
14          AND NETWORKS DEPLOYMENT.—

15                 (1) IN GENERAL.—Section 4126 of SAFETEA-  
16          LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public  
17          Law 109–59) is amended—

18                         (A) in subsection (c)—

19                                 (i) in paragraph (2) by adding at the  
20                                 end the following: “Funds deobligated by  
21                                 the Secretary from previous year grants  
22                                 shall not be counted toward the  
23                                 \$2,500,000 maximum aggregate amount  
24                                 for core deployment.”; and

1 (ii) in paragraph (3) by adding at the  
2 end the following: “Funds may also be  
3 used for planning activities, including the  
4 development or updating of program or top  
5 level design plans.”; and

6 (B) in subsection (d)(4) by adding at the  
7 end the following: “Funds may also be used for  
8 planning activities, including the development  
9 or updating of program or top level design  
10 plans.”.

11 (2) INNOVATIVE TECHNOLOGY DEPLOYMENT  
12 PROGRAM.—For fiscal year 2016, the commercial ve-  
13 hicle information systems and networks deployment  
14 program under section 4126 of SAFETEA-LU (119  
15 Stat. 1738; Public Law 109–59) may also be re-  
16 ferred to as the innovative technology deployment  
17 program.

18 **SEC. 5106. MOTOR CARRIER SAFETY ASSISTANCE PRO-**  
19 **GRAM ALLOCATION.**

20 (a) WORKING GROUP.—

21 (1) ESTABLISHMENT.—Not later than 180 days  
22 after the date of enactment of this Act, the Sec-  
23 retary shall establish a motor carrier safety assist-  
24 ance program formula working group (in this section  
25 referred to as the “working group”).

1 (2) MEMBERSHIP.—

2 (A) IN GENERAL.—Subject to subpara-  
3 graph (B), the working group shall consist of  
4 representatives of the following:

5 (i) The Federal Motor Carrier Safety  
6 Administration.

7 (ii) The lead State commercial motor  
8 vehicle safety agencies responsible for ad-  
9 ministering the plan required by section  
10 31102 of title 49, United States Code.

11 (iii) An organization representing  
12 State agencies responsible for enforcing a  
13 program for inspection of commercial  
14 motor vehicles.

15 (iv) Such other persons as the Sec-  
16 retary considers necessary.

17 (B) COMPOSITION.—Representatives of  
18 State commercial motor vehicle safety agencies  
19 shall comprise at least 51 percent of the mem-  
20 bership.

21 (3) NEW ALLOCATION FORMULA.—The working  
22 group shall analyze requirements and factors for the  
23 establishment of a new allocation formula for the  
24 motor carrier safety assistance program under sec-  
25 tion 31102 of title 49, United States Code.



1           (4) RECOMMENDATION.—Not later than 1 year  
2 after the date the working group is established  
3 under paragraph (1), the working group shall make  
4 a recommendation to the Secretary regarding a new  
5 allocation formula for the motor carrier safety as-  
6 sistance program.

7           (5) EXEMPTION.—The Federal Advisory Com-  
8 mittee Act (5 U.S.C. App.) shall not apply to the  
9 working group established under this subsection.

10          (6) PUBLICATION.—The Administrator of the  
11 Federal Motor Carrier Safety Administration shall  
12 publish on a publicly accessible Internet Web site of  
13 the Federal Motor Carrier Safety Administration—

14           (A) detailed summaries of the meetings of  
15 the working group; and

16           (B) the final recommendation of the work-  
17 ing group provided to the Secretary.

18          (b) NOTICE OF PROPOSED RULEMAKING.—After re-  
19 ceiving the recommendation of the working group under  
20 subsection (a)(4), the Secretary shall publish in the Fed-  
21 eral Register a notice seeking public comment on the es-  
22 tablishment of a new allocation formula for the motor car-  
23 rier safety assistance program.

24          (c) BASIS FOR FORMULA.—The Secretary shall en-  
25 sure that the new allocation formula for the motor carrier

1 safety assistance program is based on factors that reflect,  
2 at a minimum—

3 (1) the relative needs of the States to comply  
4 with section 31102 of title 49, United States Code;

5 (2) the relative administrative capacities of and  
6 challenges faced by States in complying with that  
7 section;

8 (3) the average of each State's new entrant  
9 motor carrier inventory for the 3-year period prior  
10 to the date of enactment of this Act;

11 (4) the number of international border inspec-  
12 tion facilities and border crossings by commercial ve-  
13 hicles in each State; and

14 (5) any other factors the Secretary considers  
15 appropriate.

16 (d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF  
17 NEW ALLOCATION FORMULA.—

18 (1) INTERIM FORMULA.—Prior to the develop-  
19 ment of the new allocation formula for the motor  
20 carrier safety assistance program, the Secretary may  
21 calculate the interim funding amounts for that pro-  
22 gram in fiscal year 2017 (and later fiscal years, as  
23 necessary) under section 31104(a)(1) of title 49,  
24 United States Code, as amended by this subtitle, by  
25 using the following methodology:

1           (A) The Secretary shall calculate the fund-  
2           ing amount to a State using the allocation for-  
3           mula the Secretary used to award motor carrier  
4           safety assistance program funding in fiscal year  
5           2016 under section 31102 of title 49, United  
6           States Code.

7           (B) The Secretary shall average the fund-  
8           ing awarded or other equitable amounts to a  
9           State in fiscal years 2013, 2014, and 2015  
10          for—

11                   (i) border enforcement grants under  
12                   section 31107 of title 49, United States  
13                   Code; and

14                   (ii) new entrant audit grants under  
15                   section 31144(g)(5) of that title.

16           (C) The Secretary shall add the amounts  
17           calculated in subparagraphs (A) and (B).

18          (2) ADJUSTMENTS.—Subject to the availability  
19          of funding and notwithstanding fluctuations in the  
20          data elements used by the Secretary, the initial  
21          amounts resulting from the calculation described in  
22          paragraph (1) shall be adjusted to ensure that, for  
23          each State, the amount shall not be less than 97  
24          percent of the average amount of funding received or

1 other equitable amounts in fiscal years 2013, 2014,  
2 and 2015 for—

3 (A) motor carrier safety assistance pro-  
4 gram funds awarded to the State under section  
5 31102 of title 49, United States Code;

6 (B) border enforcement grants awarded to  
7 the State under section 31107 of title 49,  
8 United States Code; and

9 (C) new entrant audit grants awarded to  
10 the State under section 31144(g)(5) of title 49,  
11 United States Code.

12 (3) IMMEDIATE RELIEF.—On the date of enact-  
13 ment of this Act, and for the 3 fiscal years following  
14 the implementation of the new allocation formula,  
15 the Secretary shall terminate the withholding of  
16 motor carrier safety assistance program funds from  
17 a State if the State was subject to the withholding  
18 of such funds for matters of noncompliance imme-  
19 diately prior to the date of enactment of this Act.

20 (4) FUTURE WITHHOLDINGS.—Beginning on  
21 the date that the new allocation formula for the  
22 motor carrier safety assistance program is imple-  
23 mented, the Secretary shall impose all future  
24 withholdings in accordance with section 31102(k) of

1 title 49, United States Code, as amended by this  
2 subtitle.

3 (e) **TERMINATION OF WORKING GROUP.**—The work-  
4 ing group established under subsection (a) shall terminate  
5 on the date of the implementation of the new allocation  
6 formula for the motor carrier safety assistance program.

7 **SEC. 5107. MAINTENANCE OF EFFORT CALCULATION.**

8 (a) **BEFORE NEW ALLOCATION FORMULA.**—

9 (1) **FISCAL YEAR 2017.**—If a new allocation for-  
10 mula for the motor carrier safety assistance program  
11 has not been established under this subtitle for fiscal  
12 year 2017, the Secretary shall calculate for fiscal  
13 year 2017 the maintenance of effort baseline re-  
14 quired under section 31102(f) of title 49, United  
15 States Code, as amended by this subtitle, by aver-  
16 aging the expenditures for fiscal years 2004 and  
17 2005 required by section 31102(b)(4) of title 49,  
18 United States Code, as that section was in effect on  
19 the day before the date of enactment of this Act.

20 (2) **SUBSEQUENT FISCAL YEARS.**—The Sec-  
21 retary may use the methodology for calculating the  
22 maintenance of effort baseline specified in paragraph  
23 (1) for fiscal year 2018 and subsequent fiscal years  
24 if a new allocation formula for the motor carrier

1 safety assistance program has not been established  
2 for that fiscal year.

3 (b) BEGINNING WITH NEW ALLOCATION FORMA-  
4 TION.—

5 (1) IN GENERAL.—Subject to paragraphs (2)  
6 and (3)(B), beginning on the date that a new alloca-  
7 tion formula for the motor carrier safety assistance  
8 program is established under this subtitle, upon the  
9 request of a State, the Secretary may waive or mod-  
10 ify the baseline maintenance of effort required of the  
11 State by section 31102(f) of title 49, United States  
12 Code, as amended by this subtitle, for the purpose  
13 of establishing a new baseline maintenance of effort  
14 if the Secretary determines that a waiver or modi-  
15 fication—

16 (A) is equitable due to reasonable cir-  
17 cumstances;

18 (B) will ensure the continuation of com-  
19 mercial motor vehicle enforcement activities in  
20 the State; and

21 (C) is necessary to ensure that the total  
22 amount of State maintenance of effort and  
23 matching expenditures required under sections  
24 31102 and 31104 of title 49, United States  
25 Code, as amended by this subtitle, does not ex-

1           ceed a sum greater than the average of the  
2           total amount of State maintenance of effort and  
3           matching expenditures required under those  
4           sections for the 3 fiscal years prior to the date  
5           of enactment of this Act.

6           (2) ADJUSTMENT METHODOLOGY.—If re-  
7           quested by a State, the Secretary may modify the  
8           maintenance of effort baseline referred to in para-  
9           graph (1) for the State according to the following  
10          methodology:

11           (A) The Secretary shall establish the main-  
12          tenance of effort baseline for the State using  
13          the average baseline of fiscal years 2004 and  
14          2005, as required by section 31102(b)(4) of  
15          title 49, United States Code, as that section  
16          was in effect on the day before the date of en-  
17          actment of this Act.

18           (B) The Secretary shall calculate the aver-  
19          age required match by a lead State commercial  
20          motor vehicle safety agency for fiscal years  
21          2013, 2014, and 2015 for motor carrier safety  
22          assistance grants established at 20 percent by  
23          section 31103 of title 49, United States Code,  
24          as that section was in effect on the day before  
25          the date of enactment of this Act.

1           (C) The Secretary shall calculate the esti-  
2 mated match required under section 31104(b)  
3 of title 49, United States Code, as amended by  
4 this subtitle.

5           (D) The Secretary shall subtract the  
6 amount in subparagraph (B) from the amount  
7 in subparagraph (C) and—

8                   (i) if the number is greater than 0,  
9 the Secretary shall subtract the number  
10 from the amount in subparagraph (A); or

11                   (ii) if the number is not greater than  
12 0, the Secretary shall calculate the mainte-  
13 nance of effort using the methodology in  
14 subparagraph (A).

15 (3) MAINTENANCE OF EFFORT AMOUNT.—

16           (A) IN GENERAL.—The Secretary shall use  
17 the amount calculated under paragraph (2) as  
18 the baseline maintenance of effort required  
19 under section 31102(f) of title 49, United  
20 States Code, as amended by this subtitle.

21           (B) DEADLINE.—If a State does not re-  
22 quest a waiver or modification under this sub-  
23 section before September 30 during the first  
24 fiscal year that the Secretary implements a new  
25 allocation formula for the motor carrier safety



1 assistance program under this subtitle, the Sec-  
2 retary shall calculate the maintenance of effort  
3 using the methodology described in paragraph  
4 (2)(A).

5 (4) MAINTENANCE OF EFFORT DESCRIBED.—

6 The maintenance of effort calculated under this sec-  
7 tion is the amount required under section 31102(f)  
8 of title 49, United States Code, as amended by this  
9 subtitle.

10 (c) TERMINATION OF EFFECTIVENESS.—The author-  
11 ity of the Secretary under this section shall terminate ef-  
12 fective on the date that a new maintenance of effort base-  
13 line is calculated based on a new allocation formula for  
14 the motor carrier safety assistance program implemented  
15 under section 31102 of title 49, United States Code.

16 **Subtitle B—Federal Motor Carrier**  
17 **Safety Administration Reform**

18 **PART I—REGULATORY REFORM**

19 **SEC. 5201. NOTICE OF CANCELLATION OF INSURANCE.**

20 Section 13906(e) of title 49, United States Code, is  
21 amended by inserting “or suspend” after “revoke”.

22 **SEC. 5202. REGULATIONS.**

23 Section 31136 of title 49, United States Code, is  
24 amended—

1           (1) by redesignating subsection (f) as sub-  
2           section (g) and transferring such subsection to ap-  
3           pear at the end of section 31315 of such title; and

4           (2) by adding at the end the following:

5           “(f) REGULATORY IMPACT ANALYSIS.—

6           “(1) IN GENERAL.—Within each regulatory im-  
7           pact analysis of a proposed or final major rule  
8           issued by the Federal Motor Carrier Safety Adminis-  
9           tration, the Secretary shall, whenever practicable—

10           “(A) consider the effects of the proposed  
11           or final rule on different segments of the motor  
12           carrier industry; and

13           “(B) formulate estimates and findings  
14           based on the best available science.

15           “(2) SCOPE.—To the extent feasible and appro-  
16           priate, and consistent with law, an analysis de-  
17           scribed in paragraph (1) shall—

18           “(A) use data that is representative of  
19           commercial motor vehicle operators or motor  
20           carriers, or both, that will be impacted by the  
21           proposed or final rule; and

22           “(B) consider the effects on commercial  
23           truck and bus carriers of various sizes and  
24           types.

25           “(g) PUBLIC PARTICIPATION.—

1           “(1) IN GENERAL.—If a proposed rule under  
2 this part is likely to lead to the promulgation of a  
3 major rule, the Secretary, before publishing such  
4 proposed rule, shall—

5                   “(A) issue an advance notice of proposed  
6 rulemaking; or

7                   “(B) proceed with a negotiated rule-  
8 making.

9           “(2) REQUIREMENTS.—Each advance notice of  
10 proposed rulemaking issued under paragraph (1)  
11 shall—

12                   “(A) identify the need for a potential regu-  
13 latory action;

14                   “(B) identify and request public comment  
15 on the best available science or technical infor-  
16 mation relevant to analyzing potential regu-  
17 latory alternatives;

18                   “(C) request public comment on the avail-  
19 able data and costs with respect to regulatory  
20 alternatives reasonably likely to be considered  
21 as part of the rulemaking; and

22                   “(D) request public comment on available  
23 alternatives to regulation.

24           “(3) WAIVER.—This subsection does not apply  
25 to a proposed rule if the Secretary, for good cause,

1 finds (and incorporates the finding and a brief state-  
2 ment of reasons for such finding in the proposed or  
3 final rule) that an advance notice of proposed rule-  
4 making is impracticable, unnecessary, or contrary to  
5 the public interest.

6 “(h) **RULE OF CONSTRUCTION.**—Nothing in sub-  
7 section (f) or (g) may be construed to limit the contents  
8 of an advance notice of proposed rulemaking.”.

9 **SEC. 5203. GUIDANCE.**

10 (a) **IN GENERAL.**—

11 (1) **DATE OF ISSUANCE AND POINT OF CON-**  
12 **TACT.**—Each guidance document issued by the Fed-  
13 eral Motor Carrier Safety Administration shall have  
14 a date of issuance or a date of revision, as applica-  
15 ble, and shall include the name and contact informa-  
16 tion of a point of contact at the Administration who  
17 can respond to questions regarding the guidance.

18 (2) **PUBLIC ACCESSIBILITY.**—

19 (A) **IN GENERAL.**—Each guidance docu-  
20 ment issued or revised by the Federal Motor  
21 Carrier Safety Administration shall be pub-  
22 lished on a publicly accessible Internet Web site  
23 of the Department on the date of issuance or  
24 revision.

1           (B) REDACTION.—The Administrator of  
2           the Federal Motor Carrier Safety Administra-  
3           tion may redact from a guidance document pub-  
4           lished under subparagraph (A) any information  
5           that would reveal investigative techniques that  
6           would compromise Administration enforcement  
7           efforts.

8           (3) INCORPORATION INTO REGULATIONS.—Not  
9           later than 5 years after the date on which a guid-  
10          ance document is published under paragraph (2) or  
11          during an applicable review under subsection (c),  
12          whichever is earlier, the Secretary shall revise regu-  
13          lations to incorporate the guidance document to the  
14          extent practicable.

15          (4) REISSUANCE.—If a guidance document is  
16          not incorporated into regulations in accordance with  
17          paragraph (3), the Administrator shall—

18                (A) reissue an updated version of the guid-  
19                ance document; and

20                (B) review and reissue an updated version  
21                of the guidance document every 5 years until  
22                the date on which the guidance document is re-  
23                moved or incorporated into applicable regula-  
24                tions.

1 (b) INITIAL REVIEW.—Not later than 1 year after the  
2 date of enactment of this Act, the Administrator shall re-  
3 view all guidance documents issued by the Federal Motor  
4 Carrier Safety Administration and in effect on such date  
5 of enactment to ensure that such documents are current,  
6 are readily accessible to the public, and meet the stand-  
7 ards specified in subparagraphs (A), (B), and (C) of sub-  
8 section (c)(1).

9 (c) REGULAR REVIEW.—

10 (1) IN GENERAL.—Subject to paragraph (2),  
11 not less than once every 5 years, the Administrator  
12 shall conduct a comprehensive review of the guid-  
13 ance documents issued by the Federal Motor Carrier  
14 Safety Administration to determine whether such  
15 documents are—

16 (A) consistent and clear;

17 (B) uniformly and consistently enforced;

18 and

19 (C) still necessary.

20 (2) NOTICE AND COMMENT.—Prior to begin-  
21 ning a review under paragraph (1), the Adminis-  
22 trator shall publish in the Federal Register a notice  
23 and request for comment that solicits input from  
24 stakeholders on which guidance documents should be  
25 updated or eliminated.

1 (3) REPORT.—

2 (A) IN GENERAL.—Not later than 60 days  
3 after the date on which a review under para-  
4 graph (1) is completed, the Administrator shall  
5 publish on a publicly accessible Internet Web  
6 site of the Department a report detailing the  
7 review and a full inventory of the guidance doc-  
8 uments of the Administration.

9 (B) CONTENTS.—A report under subpara-  
10 graph (A) shall include a summary of the re-  
11 sponse of the Administration to comments re-  
12 ceived under paragraph (2).

13 (d) GUIDANCE DOCUMENT DEFINED.—In this sec-  
14 tion, the term “guidance document” means a document  
15 issued by the Federal Motor Carrier Safety Administra-  
16 tion that—

17 (1) provides an interpretation of a regulation of  
18 the Administration; or

19 (2) includes an enforcement policy of the Ad-  
20 ministration available to the public.

21 **SEC. 5204. PETITIONS.**

22 (a) IN GENERAL.—The Administrator of the Federal  
23 Motor Carrier Safety Administration shall—

24 (1) publish on a publicly accessible Internet  
25 Web site of the Department a summary of all peti-

1        tions for regulatory action submitted to the Adminis-  
2        tration;

3            (2) prioritize the petitions submitted based on  
4        the likelihood of safety improvements resulting from  
5        the regulatory action requested;

6            (3) not later than 180 days after the date a  
7        summary of a petition is published under paragraph  
8        (1), formally respond to such petition by indicating  
9        whether the Administrator will accept, deny, or fur-  
10       further review the petition;

11           (4) prioritize responses to petitions consistent  
12       with a petition's potential to reduce crashes, improve  
13       enforcement, and reduce unnecessary burdens; and

14           (5) not later than 60 days after the date of re-  
15       ceipt of a petition, publish on a publicly accessible  
16       Internet Web site of the Department an updated in-  
17       ventory of the petitions described in paragraph (1),  
18       including any applicable disposition information for  
19       those petitions.

20        (b) TREATMENT OF MULTIPLE PETITIONS.—The  
21       Administrator may treat multiple similar petitions as a  
22       single petition for the purposes of subsection (a).

23        (c) PETITION DEFINED.—In this section, the term  
24       “petition” means a request for—

25            (1) a new regulation;



1 (2) a regulatory interpretation or clarification;

2 or

3 (3) a determination by the Administrator that

4 a regulation should be modified or eliminated be-

5 cause it is—

6 (A) no longer—

7 (i) consistent and clear;

8 (ii) current with the operational reali-

9 ties of the motor carrier industry; or

10 (iii) uniformly enforced;

11 (B) ineffective; or

12 (C) overly burdensome.

13 **SEC. 5205. INSPECTOR STANDARDS.**

14 Not later than 90 days after the date of enactment

15 of this Act, the Administrator of the Federal Motor Car-

16 rier Safety Administration shall revise the regulations

17 under part 385 of title 49, Code of Federal Regulations,

18 as necessary, to incorporate by reference the certification

19 standards for roadside inspectors issued by the Commer-

20 cial Vehicle Safety Alliance.

21 **SEC. 5206. APPLICATIONS.**

22 (a) REVIEW PROCESS.—Section 31315(b) of title 49,

23 United States Code, is amended—

24 (1) in paragraph (1)—

1 (A) in the first sentence by striking “para-  
2 graph (3)” and inserting “this subsection”; and

3 (B) by striking the second sentence;

4 (2) by redesignating paragraphs (2) through  
5 (7) as paragraphs (4) through (9), respectively; and

6 (3) by inserting after paragraph (1) the fol-  
7 lowing:

8 “(2) LENGTH OF EXEMPTION AND RENEWAL.—

9 An exemption may be granted under paragraph (1)  
10 for no longer than 5 years and may be renewed,  
11 upon request, for subsequent 5-year periods if the  
12 Secretary continues to make the finding under para-  
13 graph (1).

14 “(3) OPPORTUNITY FOR RESUBMISSION.—If the  
15 Secretary denies an application under paragraph (1)  
16 and the applicant can reasonably address the reason  
17 for the denial, the Secretary may allow the applicant  
18 to resubmit the application.”.

19 (b) ADMINISTRATIVE EXEMPTIONS.—

20 (1) IN GENERAL.—The Secretary shall make  
21 permanent the following limited exemptions:

22 (A) Perishable construction products, as  
23 published in the Federal Register on April 2,  
24 2015 (80 Fed. Reg. 17819).

1 (B) Transport of commercial bee hives, as  
2 published in the Federal Register on June 19,  
3 2015 (80 Fed. Reg. 35425).

4 (C) Safe transport of livestock, as pub-  
5 lished in the Federal Register on June 12, 2015  
6 (80 Fed. Reg. 33584).

7 (2) ADDITIONAL ADMINISTRATIVE EXEMP-  
8 TIONS.—Any exemption from any provision of the  
9 regulations under part 395 of title 49, Code of Fed-  
10 eral Regulations, that is in effect on the date of en-  
11 actment of this Act—

12 (A) except as otherwise provided in section  
13 31315(b) of title 49, shall be valid for a period  
14 of 5 years from the date such exemption was  
15 granted; and

16 (B) may be subject to renewal under sec-  
17 tion 31315(b)(2) of title 49, United States  
18 Code.

19 **PART II—COMPLIANCE, SAFETY,**  
20 **ACCOUNTABILITY REFORM**

21 **SEC. 5221. CORRELATION STUDY.**

22 (a) IN GENERAL.—The Administrator of the Federal  
23 Motor Carrier Safety Administration (referred to in this  
24 part as the “Administrator”) shall commission the Na-

1 tional Research Council of the National Academies to con-  
2 duct a study of—

3 (1) the Compliance, Safety, Accountability pro-  
4 gram of the Federal Motor Carrier Safety Adminis-  
5 tration (referred to in this part as the “CSA pro-  
6 gram”); and

7 (2) the Safety Measurement System utilized by  
8 the CSA program (referred to in this part as the  
9 “SMS”).

10 (b) SCOPE OF STUDY.—In carrying out the study  
11 commissioned pursuant to subsection (a), the National Re-  
12 search Council—

13 (1) shall analyze—

14 (A) the accuracy with which the Behavior  
15 Analysis and Safety Improvement Categories  
16 (referred to in this part as “BASIC”)—

17 (i) identify high risk carriers; and

18 (ii) predict or are correlated with fu-  
19 ture crash risk, crash severity, or other  
20 safety indicators for motor carriers, includ-  
21 ing the highest risk carriers;

22 (B) the methodology used to calculate  
23 BASIC percentiles and identify carriers for en-  
24 forcement, including the weights assigned to  
25 particular violations and the tie between crash

1 risk and specific regulatory violations, with re-  
2 spect to accurately identifying and predicting  
3 future crash risk for motor carriers;

4 (C) the relative value of inspection infor-  
5 mation and roadside enforcement data;

6 (D) any data collection gaps or data suffi-  
7 ciency problems that may exist and the impact  
8 of those gaps and problems on the efficacy of  
9 the CSA program;

10 (E) the accuracy of safety data, including  
11 the use of crash data from crashes in which a  
12 motor carrier was free from fault;

13 (F) whether BASIC percentiles for motor  
14 carriers of passengers should be calculated sep-  
15 arately from motor carriers of freight;

16 (G) the differences in the rates at which  
17 safety violations are reported to the Federal  
18 Motor Carrier Safety Administration for inclu-  
19 sion in the SMS by various enforcement au-  
20 thorities, including States, territories, and Fed-  
21 eral inspectors; and

22 (H) how members of the public use the  
23 SMS and what effect making the SMS informa-  
24 tion public has had on reducing crashes and

1 eliminating unsafe motor carriers from the in-  
2 dustry; and

3 (2) shall consider—

4 (A) whether the SMS provides comparable  
5 precision and confidence, through SMS alerts  
6 and percentiles, for the relative crash risk of in-  
7 dividual large and small motor carriers;

8 (B) whether alternatives to the SMS would  
9 identify high risk carriers more accurately; and

10 (C) the recommendations and findings of  
11 the Comptroller General of the United States  
12 and the Inspector General of the Department,  
13 and independent review team reports, issued be-  
14 fore the date of enactment of this Act.

15 (c) REPORT.—Not later than 18 months after the  
16 date of enactment of this Act, the Administrator shall—

17 (1) submit a report containing the results of  
18 the study commissioned pursuant to subsection (a)  
19 to—

20 (A) the Committee on Commerce, Science,  
21 and Transportation of the Senate;

22 (B) the Committee on Transportation and  
23 Infrastructure of the House of Representatives;  
24 and

1 (C) the Inspector General of the Depart-  
2 ment; and

3 (2) publish the report on a publicly accessible  
4 Internet Web site of the Department.

5 (d) CORRECTIVE ACTION PLAN.—

6 (1) IN GENERAL.—Not later than 120 days  
7 after the Administrator submits the report under  
8 subsection (c), if that report identifies a deficiency  
9 or opportunity for improvement in the CSA program  
10 or in any element of the SMS, the Administrator  
11 shall submit to the Committee on Commerce,  
12 Science, and Transportation of the Senate and the  
13 Committee on Transportation and Infrastructure of  
14 the House of Representatives a corrective action  
15 plan that—

16 (A) responds to the deficiencies or opportu-  
17 nities identified by the report;

18 (B) identifies how the Federal Motor Car-  
19 rier Safety Administration will address such de-  
20 ficiencies or opportunities; and

21 (C) provides an estimate of the cost, in-  
22 cluding with respect to changes in staffing, en-  
23 forcement, and data collection, necessary to ad-  
24 dress such deficiencies or opportunities.

1           (2) PROGRAM REFORMS.—The corrective action  
2           plan submitted under paragraph (1) shall include an  
3           implementation plan that—

4                   (A) includes benchmarks;

5                   (B) includes programmatic reforms, revi-  
6                   sions to regulations, or proposals for legislation;  
7                   and

8                   (C) shall be considered in any rulemaking  
9                   by the Department that relates to the CSA pro-  
10                  gram, including the SMS or data analysis under  
11                  the SMS.

12          (e) INSPECTOR GENERAL REVIEW.—Not later than  
13          120 days after the Administrator submits a corrective ac-  
14          tion plan under subsection (d), the Inspector General of  
15          the Department shall—

16                (1) review the extent to which such plan ad-  
17                dresses—

18                   (A) recommendations contained in the re-  
19                   port submitted under subsection (c); and

20                   (B) relevant recommendations issued by  
21                   the Comptroller General or the Inspector Gen-  
22                   eral before the date of enactment of this Act;  
23                   and

24                (2) submit to the Committee on Commerce,  
25                Science, and Transportation of the Senate and the



1 Committee on Transportation and Infrastructure of  
2 the House of Representatives a report on the re-  
3 sponsiveness of the corrective action plan to the rec-  
4 ommendations described in paragraph (1).

5 **SEC. 5222. BEYOND COMPLIANCE.**

6 (a) IN GENERAL.—Not later than 18 months after  
7 the date of enactment of this Act, the Administrator shall  
8 allow recognition, including credit or an improved SMS  
9 percentile, for a motor carrier that—

- 10 (1) installs advanced safety equipment;
- 11 (2) uses enhanced driver fitness measures;
- 12 (3) adopts fleet safety management tools, tech-  
13 nologies, and programs; or
- 14 (4) satisfies other standards determined appro-  
15 priate by the Administrator.

16 (b) IMPLEMENTATION.—The Administrator shall  
17 carry out subsection (a) by—

- 18 (1) incorporating a methodology into the CSA  
19 program; or
- 20 (2) establishing a safety BASIC in the SMS.

21 (c) PROCESS.—

22 (1) IN GENERAL.—The Administrator, after  
23 providing notice and an opportunity for comment,  
24 shall develop a process for identifying and reviewing  
25 advanced safety equipment, enhanced driver fitness

1 measures, fleet safety management tools, tech-  
2 nologies, and programs, and other standards for use  
3 by motor carriers to receive recognition, including  
4 credit or an improved SMS percentile, for purposes  
5 of subsection (a).

6 (2) CONTENTS.—A process developed under  
7 paragraph (1) shall—

8 (A) provide for a petition process for re-  
9 viewing advanced safety equipment, enhanced  
10 driver fitness measures, fleet safety manage-  
11 ment tools, technologies, and programs, and  
12 other standards; and

13 (B) seek input and participation from in-  
14 dustry stakeholders, including commercial  
15 motor vehicle drivers, technology manufactur-  
16 ers, vehicle manufacturers, motor carriers, law  
17 enforcement, safety advocates, and the Motor  
18 Carrier Safety Advisory Committee.

19 (d) QUALIFICATION.—The Administrator, after pro-  
20 viding notice and an opportunity for comment, shall de-  
21 velop technical or other performance standards with re-  
22 spect to advanced safety equipment, enhanced driver fit-  
23 ness measures, fleet safety management tools, tech-  
24 nologies, and programs, and other standards for purposes  
25 of subsection (a).

1 (e) MONITORING.—The Administrator may authorize  
2 qualified entities to monitor motor carriers that receive  
3 recognition, including credit or an improved SMS per-  
4 centile, under this section through a no-cost contract  
5 structure.

6 (f) DISSEMINATION OF INFORMATION.—The Admin-  
7 istrator shall maintain on a publicly accessible Internet  
8 Web site of the Department information on—

9 (1) the advanced safety equipment, enhanced  
10 driver fitness measures, fleet safety management  
11 tools, technologies, and programs, and other stand-  
12 ards eligible for recognition, including credit or an  
13 improved SMS percentile;

14 (2) any petitions for review of advanced safety  
15 equipment, enhanced driver fitness measures, fleet  
16 safety management tools, technologies, and pro-  
17 grams, and other standards; and

18 (3) any relevant statistics relating to the use of  
19 advanced safety equipment, enhanced driver fitness  
20 measures, fleet safety management tools, tech-  
21 nologies, and programs, and other standards.

22 (g) REPORT.—Not later than 3 years after the date  
23 of enactment of this Act, the Administrator shall submit  
24 to the Committee on Transportation and Infrastructure  
25 of the House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Senate a  
2 report on the—

3 (1) number of motor carriers receiving recogni-  
4 tion, including credit or an improved SMS per-  
5 centile, under this section; and

6 (2) safety performance of such carriers.

7 **SEC. 5223. DATA CERTIFICATION.**

8 (a) IN GENERAL.—On and after the date that is 1  
9 day after the date of enactment of this Act, no information  
10 regarding analysis of violations, crashes in which a deter-  
11 mination is made that the motor carrier or the commercial  
12 motor vehicle driver is not at fault, alerts, or the relative  
13 percentile for each BASIC developed under the CSA pro-  
14 gram may be made available to the general public until  
15 the Inspector General of the Department certifies that—

16 (1) the report required under section 5221(c)  
17 has been submitted in accordance with that section;

18 (2) any deficiencies identified in the report re-  
19 quired under section 5221(c) have been addressed;

20 (3) if applicable, the corrective action plan  
21 under section 5221(d) has been implemented;

22 (4) the Administrator of the Federal Motor  
23 Carrier Safety Administration has fully implemented  
24 or satisfactorily addressed the issues raised in the  
25 report titled “Modifying the Compliance, Safety, Ac-

1       countability Program Would Improve the Ability to  
2       Identify High Risk Carriers” of the Government Ac-  
3       countability Office and dated February 2014 (GAO-  
4       14-114); and

5             (5) the Secretary has initiated modification of  
6       the CSA program in accordance with section 5222.

7       (b) LIMITATION ON THE USE OF CSA ANALYSIS.—  
8       Information regarding alerts and the relative percentile for  
9       each BASIC developed under the CSA program may not  
10      be used for safety fitness determinations until the Inspec-  
11      tor General of the Department makes the certification  
12      under subsection (a).

13      (c) CONTINUED PUBLIC AVAILABILITY OF DATA.—  
14      Notwithstanding any other provision of this section, in-  
15      spection and violation information submitted to the Fed-  
16      eral Motor Carrier Safety Administration by commercial  
17      motor vehicle inspectors and qualified law enforcement of-  
18      ficials, out-of-service rates, and absolute measures shall  
19      remain available to the public.

20      (d) EXCEPTIONS.—

21             (1) IN GENERAL.—Notwithstanding any other  
22      provision of this section—

23             (A) the Federal Motor Carrier Safety Ad-  
24             ministration and State and local commercial  
25             motor vehicle enforcement agencies may use the

1 information referred to in subsection (a) for  
2 purposes of investigation and enforcement  
3 prioritization;

4 (B) a motor carrier and a commercial  
5 motor vehicle driver may access information re-  
6 ferred to in subsection (a) that relates directly  
7 to the motor carrier or driver, respectively; and

8 (C) a data analysis of motorcoach opera-  
9 tors may be provided online with a notation in-  
10 dicating that the ratings or alerts listed are not  
11 intended to imply any Federal safety rating of  
12 the carrier.

13 (2) NOTATION.—The notation described in  
14 paragraph (1)(C) shall include the following: “Read-  
15 ers should not draw conclusions about a carrier’s  
16 overall safety condition simply based on the data dis-  
17 played in this system. Unless a motor carrier has re-  
18 ceived an UNSATISFACTORY safety rating under  
19 part 385 of title 49, Code of Federal Regulations, or  
20 has otherwise been ordered to discontinue operations  
21 by the Federal Motor Carrier Safety Administration,  
22 it is authorized to operate on the Nation’s road-  
23 ways.”.

24 (3) RULE OF CONSTRUCTION.—Nothing in this  
25 section may be construed to restrict the official use

1 by State enforcement agencies of the data collected  
2 by State enforcement personnel.

3 **SEC. 5224. DATA IMPROVEMENT.**

4 (a) **FUNCTIONAL SPECIFICATIONS.**—The Adminis-  
5 trator shall develop functional specifications to ensure the  
6 consistent and accurate input of data into systems and  
7 databases relating to the CSA program.

8 (b) **FUNCTIONALITY.**—The functional specifications  
9 developed pursuant to subsection (a)—

10 (1) shall provide for the hardcoding and smart  
11 logic functionality for roadside inspection data col-  
12 lection systems and databases; and

13 (2) shall be made available to public and private  
14 sector developers.

15 (c) **EFFECTIVE DATA MANAGEMENT.**—The Adminis-  
16 trator shall ensure that internal systems and databases  
17 accept and effectively manage data using uniform stand-  
18 ards.

19 (d) **CONSULTATION WITH THE STATES.**—Before im-  
20 plementing the functional specifications developed pursu-  
21 ant to subsection (a) or the standards described in sub-  
22 section (c), the Administrator shall seek input from the  
23 State agencies responsible for enforcing section 31102 of  
24 title 49, United States Code.

1 **SEC. 5225. ACCIDENT REVIEW.**

2 (a) IN GENERAL.—Not later than 1 year after a cer-  
3 tification under section 5223, the Secretary shall task the  
4 Motor Carrier Safety Advisory Committee with reviewing  
5 the treatment of preventable crashes under the SMS.

6 (b) DUTIES.—Not later than 6 months after being  
7 tasked under subsection (a), the Motor Carrier Safety Ad-  
8 visory Committee shall make recommendations to the Sec-  
9 retary on a process to allow motor carriers and drivers  
10 to request that the Administrator make a determination  
11 with respect to the preventability of a crash, if such a  
12 process has not yet been established by the Secretary.

13 (c) REPORT.—The Secretary shall—

14 (1) review and consider the recommendations  
15 provided by the Motor Carrier Safety Advisory Com-  
16 mittee; and

17 (2) report to Congress on how the Secretary in-  
18 tends to address the treatment of preventable crash-  
19 es.

20 (d) PREVENTABLE DEFINED.—In this section, the  
21 term “preventable” has the meaning given that term in  
22 Appendix B of part 385 of title 49, Code of Federal Regu-  
23 lations, as in effect on the date of enactment of this Act.



1           **Subtitle C—Commercial Motor**  
2                           **Vehicle Safety**

3   **SEC. 5301. WINDSHIELD TECHNOLOGY.**

4           (a) **IN GENERAL.**—Not later than 180 days after the  
5 date of enactment of this Act, the Secretary shall revise  
6 the regulations in section 393.60(e) of title 49, Code of  
7 Federal Regulations (relating to the prohibition on ob-  
8 structions to the driver’s field of view) to exempt from that  
9 section the voluntary mounting on a windshield of vehicle  
10 safety technology likely to achieve a level of safety that  
11 is equivalent to or greater than the level of safety that  
12 would be achieved absent the exemption.

13           (b) **VEHICLE SAFETY TECHNOLOGY DEFINED.**—In  
14 this section, the term “vehicle safety technology” includes  
15 a fleet-related incident management system, performance  
16 or behavior management system, speed management sys-  
17 tem, lane departure warning system, forward collision  
18 warning or mitigation system, and active cruise control  
19 system and any other technology that the Secretary con-  
20 siderers applicable.

21           (c) **RULE OF CONSTRUCTION.**—For purposes of this  
22 section, any windshield mounted technology with a short  
23 term exemption under part 381 of title 49, Code of Fed-  
24 eral Regulations, on the date of enactment of this Act,  
25 shall be considered likely to achieve a level of safety that

1 is equivalent to or greater than the level of safety that  
2 would be achieved absent an exemption under subsection  
3 (a).

4 **SEC. 5302. PRIORITIZING STATUTORY RULEMAKINGS.**

5 The Administrator of the Federal Motor Carrier  
6 Safety Administration shall prioritize the completion of  
7 each outstanding rulemaking required by statute before  
8 beginning any other rulemaking, unless the Secretary de-  
9 termines that there is a significant need for such other  
10 rulemaking and notifies Congress of such determination.

11 **SEC. 5303. SAFETY REPORTING SYSTEM.**

12 (a) IN GENERAL.—Not later than 1 year after the  
13 date of enactment of this Act, the Comptroller General  
14 of the United States shall submit to the Committee on  
15 Commerce, Science, and Transportation of the Senate and  
16 the Committee on Transportation and Infrastructure of  
17 the House of Representatives a report on the cost and fea-  
18 sibility of establishing a self-reporting system for commer-  
19 cial motor vehicle drivers or motor carriers with respect  
20 to en route equipment failures.

21 (b) CONTENTS.—The report required under sub-  
22 section (a) shall include—

23 (1) an analysis of—

1 (A) alternatives for the reporting of equip-  
2 ment failures in real time, including an Internet  
3 Web site or telephone hotline;

4 (B) the ability of a commercial motor vehi-  
5 cle driver or a motor carrier to provide to the  
6 Federal Motor Carrier Safety Administration  
7 proof of repair of a self-reported equipment fail-  
8 ure;

9 (C) the ability of the Federal Motor Car-  
10 rier Safety Administration to ensure that self-  
11 reported equipment failures proven to be re-  
12 paired are not used in the calculation of Behav-  
13 ior Analysis and Safety Improvement Category  
14 scores;

15 (D) the ability of roadside inspectors to ac-  
16 cess self-reported equipment failures;

17 (E) the cost to establish and administer a  
18 self-reporting system;

19 (F) the ability for a self-reporting system  
20 to track individual commercial motor vehicles  
21 through unique identifiers; and

22 (G) whether a self-reporting system would  
23 yield demonstrable safety benefits;

1           (2) an identification of any regulatory or statu-  
2           tory impediments to the implementation of a self-re-  
3           porting system; and

4           (3) recommendations on implementing a self-re-  
5           porting system.

6   **SEC. 5304. NEW ENTRANT SAFETY REVIEW PROGRAM.**

7           (a) IN GENERAL.—The Secretary shall conduct an  
8           assessment of the new operator safety review program  
9           under section 31144(g) of title 49, United States Code,  
10          including the program’s effectiveness in reducing crashes,  
11          fatalities, and injuries involving commercial motor vehicles  
12          and improving commercial motor vehicle safety.

13          (b) REPORT.—Not later than 1 year after the date  
14          of enactment of this Act, the Secretary shall publish on  
15          a publicly accessible Internet Web site of the Department  
16          and submit to the Committee on Commerce, Science, and  
17          Transportation of the Senate and the Committee on  
18          Transportation and Infrastructure of the House of Rep-  
19          resentatives a report on the results of the assessment con-  
20          ducted under subsection (a), including any recommenda-  
21          tions for improving the effectiveness of the program (in-  
22          cluding recommendations for legislative changes).

23   **SEC. 5305. HIGH RISK CARRIER REVIEWS.**

24          (a) IN GENERAL.—The Secretary shall ensure that  
25          a review is completed on each motor carrier that dem-

1 onstrates through performance data that it poses the high-  
2 est safety risk. At a minimum, a review shall be conducted  
3 whenever a motor carrier is among the highest risk car-  
4 riers for 4 consecutive months.

5 (b) REPORT.—The Secretary shall post on a public  
6 Web site a report on the actions the Secretary has taken  
7 to comply with this section, including the number of high  
8 risk carriers identified and the high risk carriers reviewed.

9 (c) CONFORMING AMENDMENT.—Section 4138 of  
10 SAFETEA-LU (49 U.S.C. 31144 note), and the item re-  
11 lating to that section in the table of contents in section  
12 1(b) of that Act, are repealed.

13 **SEC. 5306. POST-ACCIDENT REPORT REVIEW.**

14 (a) IN GENERAL.—Not later than 120 days after the  
15 date of enactment of this Act, the Secretary shall convene  
16 a working group—

17 (1) to review the data elements of post-accident  
18 reports, for tow-away accidents involving commercial  
19 motor vehicles, that are reported to the Federal Gov-  
20 ernment; and

21 (2) to report to the Secretary its findings and  
22 any recommendations, including best practices for  
23 State post-accident reports to achieve the data ele-  
24 ments described in subsection (c).

1 (b) COMPOSITION.—Not less than 51 percent of the  
2 working group should be composed of individuals rep-  
3 resenting the States or State law enforcement officials.  
4 The remaining members of the working group shall rep-  
5 resent industry, labor, safety advocates, and other inter-  
6 ested parties.

7 (c) CONSIDERATIONS.—The working group shall con-  
8 sider requiring additional data elements, including—

9 (1) the primary cause of the accident, if the pri-  
10 mary cause can be determined; and

11 (2) the physical characteristics of the commer-  
12 cial motor vehicle and any other vehicle involved in  
13 the accident, including—

14 (A) the vehicle configuration;

15 (B) the gross vehicle weight, if the weight  
16 can be readily determined;

17 (C) the number of axles; and

18 (D) the distance between axles, if the dis-  
19 tance can be readily determined.

20 (d) REPORT.—Not later than 1 year after the date  
21 of enactment of this Act, the Secretary shall—

22 (1) review the findings of the working group;

23 (2) identify the best practices for State post-ac-  
24 cident reports that are reported to the Federal Gov-  
25 ernment, including identifying the data elements

1 that should be collected following a tow-away com-  
2 mercial motor vehicle accident; and

3 (3) recommend to the States the adoption of  
4 new data elements to be collected following report-  
5 able commercial motor vehicle accidents.

6 (e) TERMINATION.—The working group shall termi-  
7 nate not more than 180 days after the date on which the  
8 Secretary makes recommendations under subsection  
9 (d)(3).

10 **SEC. 5307. IMPLEMENTING SAFETY REQUIREMENTS.**

11 (a) IN GENERAL.—For each rulemaking described in  
12 subsection (c), not later than 30 days after the date of  
13 enactment of this Act and every 180 days thereafter until  
14 the rulemaking is complete, the Secretary shall submit to  
15 the Committee on Transportation and Infrastructure of  
16 the House of Representatives and the Committee on Com-  
17 merce, Science, and Transportation of the Senate a writ-  
18 ten notification that includes—

19 (1) for a rulemaking with a statutory dead-  
20 line—

21 (A) an explanation of why the deadline was  
22 not met; and

23 (B) an expected date of completion of the  
24 rulemaking; and

1           (2) for a rulemaking without a statutory dead-  
2           line, an expected date of completion of the rule-  
3           making.

4           (b) **ADDITIONAL CONTENTS.**—A notification sub-  
5           mitted under subsection (a) shall include—

6           (1) an updated rulemaking timeline;

7           (2) a list of factors causing delays in the com-  
8           pletion of the rulemaking; and

9           (3) any other details associated with the status  
10          of the rulemaking.

11          (c) **RULEMAKINGS.**—The Secretary shall submit a  
12          written notification under subsection (a) for each of the  
13          following rulemakings:

14           (1) The rulemaking required under section  
15          31306a(a)(1) of title 49, United States Code.

16           (2) The rulemaking required under section  
17          31137(a) of title 49, United States Code.

18           (3) The rulemaking required under section  
19          31305(c) of title 49, United States Code.

20           (4) The rulemaking required under section  
21          31601 of division C of MAP–21 (49 U.S.C. 30111  
22          note).

23           (5) A rulemaking concerning motor carrier safe-  
24          ty fitness determinations.



1           (6) A rulemaking concerning commercial motor  
2           vehicle safety required by an Act of Congress en-  
3           acted on or after August 1, 2005, and incomplete  
4           for more than 2 years.

## 5           **Subtitle D—Commercial Motor** 6           **Vehicle Drivers**

### 7           **SEC. 5401. OPPORTUNITIES FOR VETERANS.**

8           (a) STANDARDS FOR TRAINING AND TESTING OF  
9           VETERAN OPERATORS.—Section 31305 of title 49, United  
10          States Code, is amended by adding at the end the fol-  
11          lowing:

12          “(d) STANDARDS FOR TRAINING AND TESTING OF  
13          VETERAN OPERATORS.—

14                 “(1) IN GENERAL.—Not later than December  
15                 31, 2016, the Secretary shall modify the regulations  
16                 prescribed under subsections (a) and (c) to—

17                         “(A) exempt a covered individual from all  
18                         or a portion of a driving test if the covered indi-  
19                         vidual had experience in the armed forces or re-  
20                         serve components driving vehicles similar to a  
21                         commercial motor vehicle;

22                         “(B) ensure that a covered individual may  
23                         apply for an exemption under subparagraph (A)  
24                         during, at least, the 1-year period beginning on  
25                         the date on which such individual separates

1 from service in the armed forces or reserve  
2 components; and

3 “(C) credit the training and knowledge a  
4 covered individual received in the armed forces  
5 or reserve components driving vehicles similar  
6 to a commercial motor vehicle for purposes of  
7 satisfying minimum standards for training and  
8 knowledge.

9 “(2) DEFINITIONS.—In this subsection, the fol-  
10 lowing definitions apply:

11 “(A) ARMED FORCES.—The term ‘armed  
12 forces’ has the meaning given that term in sec-  
13 tion 101(a) of title 10.

14 “(B) COVERED INDIVIDUAL.—The term  
15 ‘covered individual’ means an individual over  
16 the age of 21 years who is—

17 “(i) a former member of the armed  
18 forces; or

19 “(ii) a former member of the reserve  
20 components.

21 “(C) RESERVE COMPONENTS.—The term  
22 ‘reserve components’ means—

23 “(i) the Army National Guard of the  
24 United States;

25 “(ii) the Army Reserve;

1                   “(iii) the Navy Reserve;  
2                   “(iv) the Marine Corps Reserve;  
3                   “(v) the Air National Guard of the  
4                   United States;  
5                   “(vi) the Air Force Reserve; and  
6                   “(vii) the Coast Guard Reserve.”.

7           (b) IMPLEMENTATION OF ADMINISTRATIVE REC-  
8   COMMENDATIONS.—Not later than 1 year after the date of  
9   enactment of this Act, the Secretary, in consultation with  
10   the Secretary of Defense, shall implement the rec-  
11   ommendations contained in the report submitted under  
12   section 32308 of MAP–21 (49 U.S.C. 31301 note) that  
13   are not implemented as a result of the amendment in sub-  
14   section (a).

15           (c) IMPLEMENTATION OF THE MILITARY COMMER-  
16   CIAL DRIVER’S LICENSE ACT.—Not later than December  
17   31, 2015, the Secretary shall issue final regulations to im-  
18   plement the exemption to the domicile requirement under  
19   section 31311(a)(12)(C) of title 49, United States Code.

20           (d) CONFORMING AMENDMENT.—Section  
21   31311(a)(12)(C)(ii) of title 49, United States Code, is  
22   amended to read as follows:

23                   “(ii) is an active duty member of—  
24                   “(I) the armed forces (as that term is  
25                   defined in section 101(a) of title 10); or

1                   “(II) the reserve components (as that  
2                   term is defined in section 31305(d)(2) of  
3                   this title); and”.

4 **SEC. 5402. DRUG-FREE COMMERCIAL DRIVERS.**

5           (a) IN GENERAL.—Section 31306 of title 49, United  
6 States Code, is amended—

7               (1) in subsection (b)(1)—

8                   (A) by redesignating subparagraph (B) as  
9                   subparagraph (C);

10                   (B) in subparagraph (A) by striking “The  
11                   regulations shall permit such motor carriers to  
12                   conduct preemployment testing of such employ-  
13                   ees for the use of alcohol.”; and

14                   (C) by inserting after subparagraph (A)  
15                   the following:

16               “(B) The regulations prescribed under subparagraph  
17 (A) shall permit motor carriers—

18                   “(i) to conduct preemployment testing of com-  
19                   mercial motor vehicle operators for the use of alco-  
20                   hol; and

21                   “(ii) to use hair testing as an acceptable alter-  
22                   native to urine testing—

23                   “(I) in conducting preemployment testing  
24                   for the use of a controlled substance; and

1           “(II) in conducting random testing for the  
2           use of a controlled substance if the operator  
3           was subject to hair testing for preemployment  
4           testing.”;

5           (2) in subsection (b)(2)—

6           (A) in subparagraph (A) by striking “and”  
7           at the end;

8           (B) in subparagraph (B) by striking the  
9           period at the end and inserting “; and”; and

10          (C) by adding at the end the following:

11          “(C) shall provide an exemption from hair test-  
12          ing for commercial motor vehicle operators with es-  
13          tablished religious beliefs that prohibit the cutting or  
14          removal of hair.”; and

15          (3) in subsection (c)(2)—

16          (A) in the matter preceding subparagraph  
17          (A) by inserting “for urine testing, and tech-  
18          nical guidelines for hair testing,” before “in-  
19          cluding mandatory guidelines”;

20          (B) in subparagraph (B) by striking “and”  
21          at the end;

22          (C) in subparagraph (C) by inserting  
23          “and” after the semicolon; and

24          (D) by adding at the end the following:

1                   “(D) laboratory protocols and cut-off levels  
2                   for hair testing to detect the use of a controlled  
3                   substance;”.

4           (b) GUIDELINES.—Not later than 1 year after the  
5   date of enactment of this Act, the Secretary of Health and  
6   Human Services shall issue scientific and technical guide-  
7   lines for hair testing as a method of detecting the use of  
8   a controlled substance for purposes of section 31306 of  
9   title 49, United States Code.

10 **SEC. 5403. MEDICAL CERTIFICATION OF VETERANS FOR**  
11 **COMMERCIAL DRIVER’S LICENSES.**

12           (a) IN GENERAL.—In the case of a physician-ap-  
13   proved veteran operator, the qualified physician of such  
14   operator may, subject to the requirements of subsection  
15   (b), perform a medical examination and provide a medical  
16   certificate for purposes of compliance with the require-  
17   ments of section 31149 of title 49, United States Code.

18           (b) CERTIFICATION.—The certification described  
19   under subsection (a) shall include—

20                   (1) assurances that the physician performing  
21                   the medical examination meets the requirements of  
22                   a qualified physician under this section; and

23                   (2) certification that the physical condition of  
24                   the operator is adequate to enable such operator to  
25                   operate a commercial motor vehicle safely.

1 (c) NATIONAL REGISTRY OF MEDICAL EXAM-  
2 INERS.—The Secretary, in consultation with the Secretary  
3 of Veterans Affairs, shall develop a process for qualified  
4 physicians to perform a medical examination and provide  
5 a medical certificate under subsection (a) and include such  
6 physicians on the national registry of medical examiners  
7 established under section 31149(d) of title 49, United  
8 States Code.

9 (d) DEFINITIONS.—In this section, the following defi-  
10 nitions apply:

11 (1) PHYSICIAN-APPROVED VETERAN OPER-  
12 ATOR.—The term “physician-approved veteran oper-  
13 ator” means an operator of a commercial motor ve-  
14 hicle who—

15 (A) is a veteran who is enrolled in the  
16 health care system established under section  
17 1705(a) of title 38, United States Code; and

18 (B) is required to have a current valid  
19 medical certificate pursuant to section 31149 of  
20 title 49, United States Code.

21 (2) QUALIFIED PHYSICIAN.—The term “quali-  
22 fied physician” means a physician who—

23 (A) is employed in the Department of Vet-  
24 erans Affairs;

1 (B) is familiar with the standards for, and  
2 physical requirements of, an operator certified  
3 pursuant to section 31149 of title 49, United  
4 States Code; and

5 (C) has never, with respect to such section,  
6 been found to have acted fraudulently, including  
7 by fraudulently awarding a medical certificate.

8 (3) VETERAN.—The term “veteran” has the  
9 meaning given the term in section 101 of title 38,  
10 United States Code.

11 (e) STATUTORY CONSTRUCTION.—Nothing in this  
12 section shall be construed to change any statutory penalty  
13 associated with fraud or abuse.

14 **SEC. 5404. COMMERCIAL DRIVER PILOT PROGRAM.**

15 (a) IN GENERAL.—The Secretary shall establish a  
16 pilot program under section 31315(c) of title 49, United  
17 States Code, to study the feasibility, benefits, and safety  
18 impacts of allowing a covered driver to operate a commer-  
19 cial motor vehicle in interstate commerce.

20 (b) DATA COLLECTION.—The Secretary shall collect  
21 and analyze data relating to accidents in which—

22 (1) a covered driver participating in the pilot  
23 program is involved; and



1           (2) a driver under the age of 21 operating a  
2           commercial motor vehicle in intrastate commerce is  
3           involved.

4           (c) LIMITATIONS.—A driver participating in the pilot  
5           program may not—

6           (1) transport—

7                   (A) passengers; or

8                   (B) hazardous cargo; or

9           (2) operate a vehicle in special configuration.

10          (d) WORKING GROUP.—

11           (1) ESTABLISHMENT.—The Secretary shall con-  
12           duct, monitor, and evaluate the pilot program in  
13           consultation with a working group to be established  
14           by the Secretary consisting of representatives of the  
15           armed forces, industry, drivers, safety advocacy or-  
16           ganizations, and State licensing and enforcement of-  
17           ficials.

18           (2) DUTIES.—The working group shall review  
19           the data collected under subsection (b) and provide  
20           recommendations to the Secretary on the feasibility,  
21           benefits, and safety impacts of allowing a covered  
22           driver to operate a commercial motor vehicle in  
23           interstate commerce.

24           (e) REPORT.—Not later than 1 year after the date  
25           on which the pilot program is concluded, the Secretary

1 shall submit to Congress a report describing the findings  
2 of the pilot program and the recommendations of the  
3 working group.

4 (f) DEFINITIONS.—In this section, the following defi-  
5 nitions apply:

6 (1) ACCIDENT.—The term “accident” has the  
7 meaning given that term in section 390.5 of title 49,  
8 Code of Federal Regulations, as in effect on the date  
9 of enactment of this Act.

10 (2) ARMED FORCES.—The term “armed forces”  
11 has the meaning given that term in section 101(a)  
12 of title 10, United States Code.

13 (3) COMMERCIAL MOTOR VEHICLE.—The term  
14 “commercial motor vehicle” has the meaning given  
15 that term in section 31301 of title 49, United States  
16 Code.

17 (4) COVERED DRIVER.—The term “covered  
18 driver” means an individual who is—

19 (A) between the ages of 18 and 21;

20 (B) a member or former member of the—

21 (i) armed forces; or

22 (ii) reserve components (as defined in  
23 section 31305(d)(2) of title 49, United  
24 States Code, as added by this Act); and

1 (C) qualified in a Military Occupational  
2 Specialty to operate a commercial motor vehicle  
3 or similar vehicle.

## 4 **Subtitle E—General Provisions**

### 5 **SEC. 5501. DELAYS IN GOODS MOVEMENT.**

6 (a) REPORT.—

7 (1) IN GENERAL.—Not later than 1 year after  
8 the date of enactment of this Act, the Inspector  
9 General of the Department shall submit to the Com-  
10 mittee on Transportation and Infrastructure of the  
11 House of Representatives and the Committee on  
12 Commerce, Science, and Transportation of the Sen-  
13 ate a report on the average length of time that oper-  
14 ators of commercial motor vehicles are delayed be-  
15 fore the loading and unloading of such vehicles and  
16 at other points in the pick-up and delivery process.

17 (2) CONTENTS.—The report under paragraph  
18 (1) shall include—

19 (A) an assessment of how delays impact—

20 (i) the economy;

21 (ii) the efficiency of the transportation  
22 system;

23 (iii) motor carrier safety, including  
24 the extent to which delays result in viola-

1                   tions of motor carrier safety regulations;  
2                   and  
3                   (iv) the livelihood of motor carrier  
4                   drivers; and  
5                   (B) recommendations on how delays could  
6                   be mitigated.

7           (b) COLLECTION OF DATA.—Not later than 2 years  
8 after the date of enactment of this Act, the Secretary shall  
9 establish by regulation a process to collect data on delays  
10 experienced by operators of commercial motor vehicles be-  
11 fore the loading and unloading of such vehicles and at  
12 other points in the pick-up and delivery process.

13 **SEC. 5502. EMERGENCY ROUTE WORKING GROUP.**

14           (a) IN GENERAL.—

15                   (1) ESTABLISHMENT.—Not later than 1 year  
16 after the date of enactment of this Act, the Sec-  
17 retary shall establish a working group to determine  
18 best practices for expeditious State approval of spe-  
19 cial permits for vehicles involved in emergency re-  
20 sponse and recovery.

21                   (2) MEMBERS.—The working group shall in-  
22 clude representatives from—

23                           (A) State highway transportation depart-  
24                           ments or agencies;

1 (B) relevant modal agencies within the De-  
2 partment;

3 (C) emergency response or recovery ex-  
4 perts;

5 (D) relevant safety groups; and

6 (E) entities affected by special permit re-  
7 strictions during emergency response and recov-  
8 ery efforts.

9 (b) CONSIDERATIONS.—In determining best practices  
10 under subsection (a), the working group shall consider  
11 whether—

12 (1) impediments currently exist that prevent ex-  
13 peditious State approval of special permits for vehi-  
14 cles involved in emergency response and recovery;

15 (2) it is possible to pre-identify and establish  
16 emergency routes between States through which in-  
17 frastructure repair materials could be delivered fol-  
18 lowing a natural disaster or emergency;

19 (3) a State could pre-designate an emergency  
20 route identified under paragraph (2) as a certified  
21 emergency route if a motor vehicle that exceeds the  
22 otherwise applicable Federal and State truck length  
23 or width limits may safely operate along such route  
24 during periods of declared emergency and recovery  
25 from such periods; and

1           (4) an online map could be created to identify  
2 each pre-designated emergency route under para-  
3 graph (3), including information on specific limita-  
4 tions, obligations, and notification requirements  
5 along that route.

6           (c) REPORT.—

7           (1) SUBMISSION.—Not later than 1 year after  
8 the date of enactment of this Act, the working group  
9 shall submit to the Secretary a report on its findings  
10 under this section and any recommendations for the  
11 implementation of best practices for expeditious  
12 State approval of special permits for vehicles in-  
13 volved in emergency response and recovery.

14           (2) PUBLICATION.—Not later than 30 days  
15 after the date the Secretary receives the report  
16 under paragraph (1), the Secretary shall publish the  
17 report on a publicly accessible Internet Web site of  
18 the Department.

19           (d) NOTIFICATION.—Not later than 6 months after  
20 the date the Secretary receives the report under subsection  
21 (c)(1), the Secretary shall notify the Committee on Trans-  
22 portation and Infrastructure of the House of Representa-  
23 tives and the Committee on Commerce, Science, and  
24 Transportation of the Senate on the actions the Secretary

1 and the States have taken to implement the recommenda-  
2 tions included in the report.

3 (e) TERMINATION.—The working group shall termi-  
4 nate 1 year after the date the Secretary receives the report  
5 under subsection (c)(1).

6 **SEC. 5503. HOUSEHOLD GOODS CONSUMER PROTECTION**  
7 **WORKING GROUP.**

8 (a) WORKING GROUP.—The Secretary shall establish  
9 a working group for the purpose of developing rec-  
10 ommendations on how to best convey to consumers rel-  
11 evant information with respect to the Federal laws con-  
12 cerning the interstate transportation of household goods  
13 by motor carrier.

14 (b) MEMBERSHIP.—The Secretary shall ensure that  
15 the working group is comprised of individuals with exper-  
16 tise in consumer affairs, educators with expertise in how  
17 people learn most effectively, and representatives of the  
18 household goods moving industry.

19 (c) RECOMMENDATIONS.—

20 (1) CONTENTS.—The recommendations devel-  
21 oped by the working group shall include rec-  
22 ommendations on—

23 (A) condensing publication ESA 03005 of  
24 the Federal Motor Carrier Safety Administra-

1           tion into a format that is more easily used by  
2           consumers;

3           (B) using state-of-the-art education tech-  
4           niques and technologies, including optimizing  
5           the use of the Internet as an educational tool;  
6           and

7           (C) reducing and simplifying the paper-  
8           work required of motor carriers and shippers in  
9           interstate transportation.

10          (2) DEADLINE.—Not later than 1 year after  
11          the date of enactment of this Act—

12                 (A) the working group shall make the rec-  
13                 ommendations described in paragraph (1); and

14                 (B) the Secretary shall publish the rec-  
15                 ommendations on a publicly accessible Internet  
16                 Web site of the Department.

17          (d) REPORT.—Not later than 1 year after the date  
18          on which the working group makes its recommendations  
19          under subsection (c)(2), the Secretary shall issue a report  
20          to Congress on the implementation of such recommenda-  
21          tions.

22          (e) TERMINATION.—The working group shall termi-  
23          nate 1 year after the date the working group makes its  
24          recommendations under subsection (c)(2).



1 **SEC. 5504. TECHNOLOGY IMPROVEMENTS.**

2 (a) IN GENERAL.—Not later than 18 months after  
3 the date of enactment of this Act, the Comptroller General  
4 of the United States shall conduct a comprehensive anal-  
5 ysis of the information technology and data collection and  
6 management systems of the Federal Motor Carrier Safety  
7 Administration.

8 (b) REQUIREMENTS.—The study conducted under  
9 subsection (a) shall—

10 (1) evaluate the efficacy of the existing infor-  
11 mation technology, data collection, processing sys-  
12 tems, data correction procedures, and data manage-  
13 ment systems and programs, including their inter-  
14 action with each other and their efficacy in meeting  
15 user needs;

16 (2) identify any redundancies among the sys-  
17 tems, procedures, and programs described in para-  
18 graph (1);

19 (3) explore the feasibility of consolidating data  
20 collection and processing systems;

21 (4) evaluate the ability of the systems, proce-  
22 dures, and programs described in paragraph (1) to  
23 meet the needs of—

24 (A) the Federal Motor Carrier Safety Ad-  
25 ministration, at both the headquarters and  
26 State levels;

1 (B) the State agencies that implement the  
2 motor carrier safety assistance program under  
3 section 31102 of title 49, United States Code;  
4 and

5 (C) other users;

6 (5) evaluate the adaptability of the systems,  
7 procedures, and programs described in paragraph  
8 (1), in order to make necessary future changes to  
9 ensure user needs are met in an easier, timely, and  
10 more cost-efficient manner;

11 (6) investigate and make recommendations re-  
12 garding—

13 (A) deficiencies in existing data sets im-  
14 pacting program effectiveness; and

15 (B) methods to improve user interfaces;  
16 and

17 (7) identify the appropriate role the Federal  
18 Motor Carrier Safety Administration should take  
19 with respect to software and information systems de-  
20 sign, development, and maintenance for the purpose  
21 of improving the efficacy of the systems, procedures,  
22 and programs described in paragraph (1).

1 **SEC. 5505. NOTIFICATION REGARDING MOTOR CARRIER**  
2 **REGISTRATION.**

3 Not later than 30 days after the date of enactment  
4 of this Act, the Secretary shall submit to the Committee  
5 on Transportation and Infrastructure of the House of  
6 Representatives and the Committee on Commerce,  
7 Science, and Transportation of the Senate written notifi-  
8 cation of the actions the Secretary is taking to ensure,  
9 to the greatest extent practicable, that each application  
10 for registration under section 13902 of title 49, United  
11 States Code, is processed not later than 30 days after the  
12 date on which the application is received by the Secretary.

13 **SEC. 5506. REPORT ON COMMERCIAL DRIVER'S LICENSE**  
14 **SKILLS TEST DELAYS.**

15 Not later than 18 months after the date of enactment  
16 of this Act, and each year thereafter, the Administrator  
17 of the Federal Motor Carrier Safety Administration shall  
18 submit to the Committee on Commerce, Science, and  
19 Transportation of the Senate and the Committee on  
20 Transportation and Infrastructure of the House of Rep-  
21 resentatives a report that—

22 (1) describes, for each State, the status of skills  
23 testing for applicants for a commercial driver's li-  
24 cense, including—

25 (A) the average wait time from the date an  
26 applicant requests to take a skills test to the

1 date the applicant has the opportunity to com-  
2 plete such test;

3 (B) the average wait time from the date an  
4 applicant, upon failure of a skills test, requests  
5 a retest to the date the applicant has the oppor-  
6 tunity to complete such retest;

7 (C) the actual number of qualified com-  
8 mercial driver's license examiners available to  
9 test applicants; and

10 (D) the number of testing sites available  
11 through the State department of motor vehicles  
12 and whether this number has increased or de-  
13 creased from the previous year; and

14 (2) describes specific steps that the Adminis-  
15 trator is taking to address skills testing delays in  
16 States that have average skills test or retest wait  
17 times of more than 7 days from the date an appli-  
18 cant requests to test or retest to the date the appli-  
19 cant has the opportunity to complete such test or  
20 retest.

21 **SEC. 5507. ELECTRONIC LOGGING DEVICE REQUIREMENTS.**

22 Section 31137(b) of title 49, United States Code, is  
23 amended—

1           (1) in paragraph (1)(C) by striking “apply to”  
2           and inserting “except as provided in paragraph (3),  
3           apply to”; and

4           (2) by adding at the end the following:

5           “(3) EXCEPTION.—A motor carrier, when  
6           transporting a motor home or recreation vehicle  
7           trailer within the definition of the term ‘driveaway-  
8           towaway operation’ (as defined in section 390.5 of  
9           title 49, Code of Federal Regulations), may comply  
10          with the hours of service requirements by requiring  
11          each driver to use—

12                   “(A) a paper record of duty status form;

13                   or

14                   “(B) an electronic logging device.”.

15 **SEC. 5508. TECHNICAL CORRECTIONS.**

16          (a) TITLE 49.—Title 49, United States Code, is  
17          amended as follows:

18           (1) Section 13902(i)(2) is amended by inserting  
19           “except as” before “described”.

20           (2) Section 13903(d) is amended by striking  
21           “(d) REGISTRATION AS MOTOR CARRIER RE-  
22           QUIRED.—” and all that follows through “(1) IN  
23           GENERAL.—A freight forwarder” and inserting “(d)  
24           REGISTRATION AS MOTOR CARRIER REQUIRED.—A  
25           freight forwarder”.

1 (3) Section 13905(d)(2)(D) is amended—

2 (A) by striking “the Secretary finds  
3 that—” and all that follows through “(i) the  
4 motor carrier,” and inserting “the Secretary  
5 finds that the motor carrier,”; and

6 (B) by adding a period at the end.

7 (4) Section 14901(h) is amended by striking  
8 “HOUSEHOLD GOODS” in the heading.

9 (5) Section 14916 is amended by striking the  
10 section designation and heading and inserting the  
11 following:

12 **“§ 14916. Unlawful brokerage activities”.**

13 (b) MAP–21.—Effective as of July 6, 2012, and as  
14 if included therein as enacted, MAP–21 (Public Law 112–  
15 141) is amended as follows:

16 (1) Section 32108(a)(4) (126 Stat. 782) is  
17 amended by inserting “for” before “each additional  
18 day” in the matter proposed to be struck.

19 (2) Section 32301(b)(3) (126 Stat. 786) is  
20 amended by striking “by amending (a) to read as  
21 follows:” and inserting “by striking subsection (a)  
22 and inserting the following:”.

23 (3) Section 32302(c)(2)(B) (126 Stat. 789) is  
24 amended by striking “section 32303(c)(1)” and in-  
25 serting “section 32302(c)(1)”.

1           (4) Section 32921(b) (126 Stat. 828) is amend-  
2           ed, in the matter to be inserted, by striking “(A) In  
3           addition” and inserting the following:

4                       “(A) IN GENERAL.—In addition”.

5           (5) Section 32931(c) (126 Stat. 829) is amend-  
6           ed—

7                       (A) by striking “Secretary” and inserting  
8                       “Secretary of Transportation” in the matter to  
9                       be struck; and

10                      (B) by striking “Secretary” and inserting  
11                      “Secretary of Transportation” in the matter to  
12                      be inserted.

13           (c) MOTOR CARRIER SAFETY IMPROVEMENT ACT OF  
14 1999.—Section 229(a)(1) of the Motor Carrier Safety Im-  
15 provement Act of 1999 (49 U.S.C. 31136 note) is amend-  
16 ed by inserting “of title 49, United States Code,” after  
17 “sections 31136 and 31502”.

18 **SEC. 5509. MINIMUM FINANCIAL RESPONSIBILITY.**

19           (a) TRANSPORTING PROPERTY.—If the Secretary  
20 proceeds with a rulemaking to determine whether to in-  
21 crease the minimum levels of financial responsibility re-  
22 quired under section 31139 of title 49, United States  
23 Code, the Secretary shall consider, prior to issuing a final  
24 rule—

25                      (1) the rulemaking’s potential impact on—

1 (A) the safety of motor vehicle transpor-  
2 tation; and

3 (B) the motor carrier industry;

4 (2) the ability of the insurance industry to pro-  
5 vide the required amount of insurance;

6 (3) the extent to which current minimum levels  
7 of financial responsibility adequately cover—

8 (A) medical care;

9 (B) compensation; and

10 (C) other identifiable costs;

11 (4) the frequency with which insurance claims  
12 exceed current minimum levels of financial responsi-  
13 bility in fatal accidents; and

14 (5) the impact of increased levels on motor car-  
15 rier safety and accident reduction.

16 (b) TRANSPORTING PASSENGERS.—

17 (1) IN GENERAL.—Prior to initiating a rule-  
18 making to change the minimum levels of financial  
19 responsibility under section 31138 of title 49,  
20 United States Code, the Secretary shall complete a  
21 study specific to the minimum financial responsi-  
22 bility requirements for motor carriers of passengers.

23 (2) STUDY CONTENTS.—A study under para-  
24 graph (1) shall include, to the extent practicable—



1 (A) a review of accidents, injuries, and fa-  
2 talities in the over-the-road bus and school bus  
3 industries;

4 (B) a review of insurance held by over-the-  
5 road bus and public and private school bus  
6 companies, including companies of various sizes,  
7 and an analysis of whether such insurance is  
8 adequate to cover claims;

9 (C) an analysis of whether and how insur-  
10 ance affects the behavior and safety record of  
11 motor carriers of passengers, including with re-  
12 spect to crash reduction; and

13 (D) an analysis of the anticipated impacts  
14 of an increase in financial responsibility on in-  
15 surance premiums for passenger carriers and  
16 service availability.

17 (3) CONSULTATION.—In conducting a study  
18 under paragraph (1), the Secretary shall consult  
19 with—

20 (A) representatives of the over-the-road  
21 bus and private school bus transportation in-  
22 dustries, including representatives of bus driv-  
23 ers; and

24 (B) insurers of motor carriers of pas-  
25 sengers.

1           (4) REPORT.—If the Secretary undertakes a  
2           study under paragraph (1), the Secretary shall sub-  
3           mit to the Committee on Transportation and Infra-  
4           structure of the House of Representatives and the  
5           Committee on Commerce, Science, and Transpor-  
6           tation of the Senate a report on the results of the  
7           study.

8   **SEC. 5510. SAFETY STUDY REGARDING DOUBLE-DECKER**  
9                                   **MOTORCOACHES.**

10          (a) STUDY.—The Secretary, in consultation with  
11          State transportation safety and law enforcement officials,  
12          shall conduct a study regarding the safety operations, fire  
13          suppression capability, tire loads, and pavement impacts  
14          of operating a double-decker motorcoach equipped with a  
15          device designed by the motorcoach manufacturer to attach  
16          to the rear of the motorcoach for use in transporting pas-  
17          senger baggage.

18          (b) REPORT.—Not later than 180 days after the date  
19          of enactment of this Act, the Secretary shall submit a re-  
20          port containing the results of the study to—

21                   (1) the Committee on Transportation and In-  
22                    rastructure of the House of Representatives; and

23                   (2) the Committee on Commerce, Science, and  
24                    Transportation of the Senate.

1 **SEC. 5511. GAO REVIEW OF SCHOOL BUS SAFETY.**

2 Not later than 1 year after the date of enactment  
3 of this Act, the Comptroller General of the United States  
4 shall submit to the Committee on Commerce, Science, and  
5 Transportation of the Senate and the Committee on  
6 Transportation and Infrastructure of the House of Rep-  
7 resentatives a review of the following:

8 (1) Existing Federal and State rules and guid-  
9 ance, as of the date of the review, concerning school  
10 bus transportation of elementary school and sec-  
11 ondary school students engaging in home-to-school  
12 transport or other transport determined by the  
13 Comptroller General to be a routine part of kinder-  
14 garten through grade 12 education, including regula-  
15 tions and guidance regarding driver training pro-  
16 grams, capacity requirements, programs for special  
17 needs students, inspection standards, vehicle age re-  
18 quirements, best practices, and public access to in-  
19 spection results and crash records.

20 (2) Any correlation between public or private  
21 school bus fleet operators whose vehicles are involved  
22 in an accident as defined by section 390.5 of title  
23 49, Code of Federal Regulations, and each of the  
24 following:

25 (A) A failure by those same operators of  
26 State or local safety inspections.

1 (B) The average age or odometer readings  
2 of the school buses in the fleets of such opera-  
3 tors.

4 (C) Violations of Federal laws adminis-  
5 tered by the Department of Transportation, or  
6 of State law equivalents of such laws.

7 (D) Violations of State or local law relat-  
8 ing to illegal passing of a school bus.

9 (3) A regulatory framework comparison of pub-  
10 lic and private school bus operations.

11 (4) Expert recommendations on best practices  
12 for safe and reliable school bus transportation, in-  
13 cluding driver training programs, inspection stand-  
14 ards, school bus age and odometer reading maxi-  
15 mums for retirement, the percentage of buses in a  
16 local bus fleet needed as spare buses, and capacity  
17 levels per school bus for different age groups.

18 **SEC. 5512. ACCESS TO NATIONAL DRIVER REGISTER.**

19 Section 30305(b) of title 49, United States Code, is  
20 amended by adding at the end the following:

21 “(13) The Administrator of the Federal Motor  
22 Carrier Safety Administration may request the chief  
23 driver licensing official of a State to provide infor-  
24 mation under subsection (a) of this section about an

1 individual in connection with a safety investigation  
2 under the Administrator's jurisdiction.”.

3 **SEC. 5513. REPORT ON DESIGN AND IMPLEMENTATION OF**  
4 **WIRELESS ROADSIDE INSPECTION SYSTEMS.**

5 (a) IN GENERAL.—Not later than 180 days after the  
6 date of enactment of this Act, the Secretary shall submit  
7 to the Committee on Commerce, Science, and Transpor-  
8 tation of the Senate and the Committee on Transportation  
9 and Infrastructure of the House of Representatives a re-  
10 port regarding the design, development, testing, and im-  
11 plementation of wireless roadside inspection systems.

12 (b) ELEMENTS.—The report required under sub-  
13 section (a) shall include a determination as to whether  
14 Federal wireless roadside inspection systems—

15 (1) conflict with existing electronic screening  
16 systems, or create capabilities already available;

17 (2) require additional statutory authority to in-  
18 corporate generated inspection data into the safety  
19 measurement system or the safety fitness determina-  
20 tions program; and

21 (3) provide appropriate restrictions to specifi-  
22 cally address privacy concerns of affected motor car-  
23 riers and operators.

1 **SEC. 5514. REGULATION OF TOW TRUCK OPERATIONS.**

2 Section 14501(c)(2)(C) of title 49, United States  
3 Code, is amended by striking “the price of” and all that  
4 follows through “transportation is” and inserting “the  
5 regulation of tow truck operations”.

6 **SEC. 5515. STUDY ON COMMERCIAL MOTOR VEHICLE DRIV-**  
7 **ER COMMUTING.**

8 (a) EFFECTS OF COMMUTING.—The Administrator  
9 of the Federal Motor Carrier Safety Administration shall  
10 conduct a study on the safety effects of motor carrier oper-  
11 ator commutes exceeding 150 minutes.

12 (b) REPORT.—Not later than 18 months after the  
13 date of enactment of this Act, the Administrator shall sub-  
14 mit to Congress a report containing the findings under  
15 the study.

16 **SEC. 5516. ADDITIONAL STATE AUTHORITY.**

17 Notwithstanding any other provision of law, South  
18 Dakota shall be provided the opportunity to update and  
19 revise the routes designated as qualifying Federal-aid Pri-  
20 mary System highways under section 31111(e) of title 49,  
21 United States Code, as long as the update shifts routes  
22 to divided highways or does not increase centerline miles  
23 by more than 5 percent and is expected to increase safety  
24 performance.

1 **SEC. 5517. REPORT ON MOTOR CARRIER FINANCIAL RE-**  
2 **SPONSIBILITY.**

3 (a) IN GENERAL.—Not later than January 1, 2017,  
4 the Secretary shall publish on a publicly accessible Inter-  
5 net Web site of the Department a report on the minimum  
6 levels of financial responsibility required under section  
7 31139 of title 49, United States Code.

8 (b) CONTENTS.—The report required under sub-  
9 section (a) shall include, to the extent practicable, an anal-  
10 ysis of—

11 (1) the differences between State insurance re-  
12 quirements and Federal requirements;

13 (2) the extent to which current minimum levels  
14 of financial responsibility adequately cover—

15 (A) medical care;

16 (B) compensation; and

17 (C) other identifiable costs; and

18 (3) the frequency with which insurance claims  
19 exceed the current minimum levels of financial re-  
20 sponsibility.

21 **SEC. 5518. COVERED FARM VEHICLES.**

22 Section 32934(b)(1) of MAP–21 (49 U.S.C. 31136  
23 note) is amended by striking “from” and all that follows  
24 through the period at end and inserting the following:  
25 “from—

1                   “(A) a requirement described in subsection  
2                   (a) or a compatible State requirement; or

3                   “(B) any other minimum standard pro-  
4                   vided by a State relating to the operation of  
5                   that vehicle.”.

6 **SEC. 5519. OPERATORS OF HI-RAIL VEHICLES.**

7           (a) **IN GENERAL.**—In the case of a commercial motor  
8 vehicle driver subject to the hours of service requirements  
9 in part 395 of title 49, Code of Federal Regulations, who  
10 is driving a hi-rail vehicle, the maximum on duty time  
11 under section 395.3 of such title for such driver shall not  
12 include time in transportation to or from a duty assign-  
13 ment if such time in transportation—

14                   (1) does not exceed 2 hours per calendar day or  
15                   a total of 30 hours per calendar month; and

16                   (2) is fully and accurately accounted for in  
17 records to be maintained by the motor carrier and  
18 such records are made available upon request of the  
19 Federal Motor Carrier Safety Administration or the  
20 Federal Railroad Administration.

21           (b) **HI-RAIL VEHICLE DEFINED.**—In this section,  
22 the term “hi-rail vehicle” means an internal rail flaw de-  
23 tection vehicle equipped with flange hi-rails.



1 **SEC. 5520. AUTOMOBILE TRANSPORTER.**

2 (a) AUTOMOBILE TRANSPORTER DEFINED.—Section  
3 31111(a)(1) of title 49, United States Code, is amended—

4 (1) by striking “specifically”; and

5 (2) by adding at the end the following: “An  
6 automobile transporter shall not be prohibited from  
7 the transport of cargo or general freight on a  
8 backhaul, so long as it complies with weight limita-  
9 tions for a truck tractor and semitrailer combina-  
10 tion.”.

11 (b) TRUCK TRACTOR DEFINED.—Section  
12 31111(a)(3)(B) of title 49, United States Code, is amend-  
13 ed—

14 (1) by striking “only”; and

15 (2) by inserting before the period at the end the  
16 following: “or any other commodity, including cargo  
17 or general freight on a backhaul”.

18 (c) BACKHAUL DEFINED.—Section 31111(a) of title  
19 49, United States Code, is amended by adding at the end  
20 the following:

21 “(5) BACKHAUL.—The term ‘backhaul’ means  
22 the return trip of a vehicle transporting cargo or  
23 general freight, especially when carrying goods back  
24 over all or part of the same route.”.

1 (d) STINGER-STEERED AUTOMOBILE TRANS-  
2 PORTERS.—Section 31111(b)(1) of title 49, United States  
3 Code, is amended—

4 (1) in subparagraph (E) by striking “or” at the  
5 end;

6 (2) in subparagraph (F) by striking the period  
7 at the end and inserting a semicolon; and

8 (3) by adding at the end the following:

9 “(G) imposes a vehicle length limitation of less  
10 than 80 feet on a stinger-steered automobile trans-  
11 porter with a front overhang of less than 4 feet and  
12 a rear overhang of less than 6 feet; or”.

13 **SEC. 5521. READY MIX CONCRETE DELIVERY VEHICLES.**

14 Section 31502 of title 49, United States Code, is  
15 amended by adding at the end the following:

16 “(f) READY MIXED CONCRETE DELIVERY VEHI-  
17 CLES.—

18 “(1) IN GENERAL.—Notwithstanding any other  
19 provision of law, regulations issued under this sec-  
20 tion or section 31136 (including section  
21 395.1(e)(1)(ii) of title 49, Code of Federal Regula-  
22 tions) regarding reporting, recordkeeping, or docu-  
23 mentation of duty status shall not apply to any driv-  
24 er of a ready mixed concrete delivery vehicle if—

1           “(A) the driver operates within a 100 air-  
2           mile radius of the normal work reporting loca-  
3           tion;

4           “(B) the driver returns to the work report-  
5           ing location and is released from work within  
6           14 consecutive hours;

7           “(C) the driver has at least 10 consecutive  
8           hours off duty following each 14 hours on duty;

9           “(D) the driver does not exceed 11 hours  
10          maximum driving time following 10 consecutive  
11          hours off duty; and

12          “(E) the motor carrier that employs the  
13          driver maintains and retains for a period of 6  
14          months accurate and true time records that  
15          show—

16                 “(i) the time the driver reports for  
17                 duty each day;

18                 “(ii) the total number of hours the  
19                 driver is on duty each day;

20                 “(iii) the time the driver is released  
21                 from duty each day; and

22                 “(iv) the total time for the preceding  
23                 driving week the driver is used for the first  
24                 time or intermittently.

1           “(2) DEFINITION.—In this section, the term  
2           ‘driver of a ready mixed concrete delivery vehicle’  
3           means a driver of a vehicle designed to deliver ready  
4           mixed concrete on a daily basis and is equipped with  
5           a mechanism under which the vehicle’s propulsion  
6           engine provides the power to operate a mixer drum  
7           to agitate and mix the product en route to the deliv-  
8           ery site.”.

9   **SEC. 5522. TRANSPORTATION OF CONSTRUCTION MATE-**  
10                                   **RIALS AND EQUIPMENT.**

11           Section 229(e)(4) of the Motor Carrier Safety Im-  
12           provement Act of 1999 (49 U.S.C. 31136 note) is amend-  
13           ed—

14                   (1) by striking “50 air mile radius” and insert-  
15                   ing “75 air mile radius”; and

16                   (2) by striking “the driver.” and inserting “the  
17                   driver, except that a State, upon notice to the Sec-  
18                   retary, may establish a different air mile radius limi-  
19                   tation for purposes of this paragraph if such limita-  
20                   tion is between 50 and 75 air miles and applies only  
21                   to movements that take place entirely within the  
22                   State.”.

1 **SEC. 5523. COMMERCIAL DELIVERY OF LIGHT- AND ME-**  
2 **DIUM-DUTY TRAILERS.**

3 (a) DEFINITIONS.—Section 31111(a) of title 49,  
4 United States Code, is amended by adding at the end the  
5 following:

6 “(6) TRAILER TRANSPORTER TOWING UNIT.—  
7 The term ‘trailer transporter towing unit’ means a  
8 power unit that is not used to carry property when  
9 operating in a towaway trailer transporter combina-  
10 tion.

11 “(7) TOWAWAY TRAILER TRANSPORTER COM-  
12 BINATION.—The term ‘towaway trailer transporter  
13 combination’ means a combination of vehicles con-  
14 sisting of a trailer transporter towing unit and 2  
15 trailers or semitrailers—

16 “(A) with a total weight that does not ex-  
17 ceed 26,000 pounds; and

18 “(B) in which the trailers or semitrailers  
19 carry no property and constitute inventory  
20 property of a manufacturer, distributor, or  
21 dealer of such trailers or semitrailers.”.

22 (b) GENERAL LIMITATIONS.—Section 31111(b)(1) of  
23 such title is amended by adding at the end the following:

24 “(H) has the effect of imposing an overall  
25 length limitation of less than 82 feet on a towaway  
26 trailer transporter combination.”.

1 (c) CONFORMING AMENDMENTS.—

2 (1) PROPERTY-CARRYING UNIT LIMITATION.—

3 Section 31112(a)(1) of such title is amended by in-  
4 sserting before the period at the end the following: “,  
5 but not including a trailer or a semitrailer trans-  
6 ported as part of a towaway trailer transporter com-  
7 bination (as defined in section 31111(a))”.

8 (2) ACCESS TO INTERSTATE SYSTEM.—Section  
9 31114(a)(2) of such title is amended by inserting  
10 “any towaway trailer transporter combination (as  
11 defined in section 31111(a)),” after “passengers,”.

12 **SEC. 5524. EXEMPTIONS FROM REQUIREMENTS FOR CER-**  
13 **TAIN WELDING TRUCKS USED IN PIPELINE**  
14 **INDUSTRY.**

15 (a) COVERED MOTOR VEHICLE DEFINED.—In this  
16 section, the term “covered motor vehicle” means a motor  
17 vehicle that—

18 (1) is traveling in the State in which the vehicle  
19 is registered or another State;

20 (2) is owned by a welder;

21 (3) is a pick-up style truck;

22 (4) is equipped with a welding rig that is used  
23 in the construction or maintenance of pipelines; and

24 (5) has a gross vehicle weight and combination  
25 weight rating and weight of 15,000 pounds or less.

1 (b) FEDERAL REQUIREMENTS.—A covered motor ve-  
2 hicle, including the individual operating such vehicle and  
3 the employer of such individual, shall be exempt from the  
4 following:

5 (1) Any requirement relating to registration as  
6 a motor carrier, including the requirement to obtain  
7 and display a Department of Transportation num-  
8 ber, established under chapters 139 and 311 of title  
9 49, United States Code.

10 (2) Any requirement relating to driver qualifica-  
11 tions established under chapter 311 of title 49,  
12 United States Code.

13 (3) Any requirement relating to driving of com-  
14 mercial motor vehicles established under chapter 311  
15 of title 49, United States Code.

16 (4) Any requirement relating to parts and ac-  
17 cessories and inspection, repair, and maintenance of  
18 commercial motor vehicles established under chapter  
19 311 of title 49, United States Code.

20 (5) Any requirement relating to hours of service  
21 of drivers, including maximum driving and on duty  
22 time, established under chapter 315 of title 49,  
23 United States Code.

1 **SEC. 5525. REPORT.**

2 (a) IN GENERAL.—Not later than 4 years after the  
3 date of enactment of this Act, the Secretary shall submit  
4 to the Committee on Commerce, Science, and Transpor-  
5 tation of the Senate and the Committee on Transportation  
6 and Infrastructure of the House of Representatives a re-  
7 port describing the safety and enforcement impacts of sec-  
8 tions 5520, 5521, 5522, 5523, 5524, and 7208 of this Act.

9 (b) CONSULTATION.—In preparing the report re-  
10 quired under subsection (a), the Secretary shall consult  
11 with States, State law enforcement agencies, entities im-  
12 pacted by the sections described in subsection (a), and  
13 other entities the Secretary considers appropriate.

14 **TITLE VI—INNOVATION**

15 **SEC. 6001. SHORT TITLE.**

16 This title may be cited as the “Transportation for  
17 Tomorrow Act of 2015”.

18 **SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—The following amounts are au-  
20 thorized to be appropriated out of the Highway Trust  
21 Fund (other than the Mass Transit Account):

22 (1) HIGHWAY RESEARCH AND DEVELOPMENT  
23 PROGRAM.—To carry out section 503(b) of title 23,  
24 United States Code, \$125,000,000 for each of fiscal  
25 years 2016 through 2020.