

107TH CONGRESS
1ST SESSION

H. R. 1008

To prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule related to the hours of service of drivers for motor carriers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2001

Mr. TERRY (for himself, Mr. NETHERCUTT, Mr. JONES of North Carolina, Mr. PAUL, Mr. HILLEARY, Mr. WAMP, Mr. FERGUSON, Mr. STENHOLM, Mr. SHIMKUS, Mr. GREEN of Wisconsin, Mr. WHITFIELD, Mr. HERGER, Mr. RYUN of Kansas, Mr. ISAKSON, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. POMBO, Mr. SHADEGG, Mr. GARY MILLER of California, Mr. BARTLETT of Maryland, Mr. BUYER, Mr. EHRLICH, Mr. DUNCAN, Mr. OTTER, Mr. SCHAFFER, Mr. RILEY, Mr. NEY, Mr. BLUNT, and Mr. KENNEDY of Minnesota) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule related to the hours of service of drivers for motor carriers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON ACTIONS TO FINALIZE, IM-**
2 **PLEMENT, OR ENFORCE RULE.**

3 Neither the Secretary of Transportation nor the Ad-
4 ministrator of the Federal Motor Carrier Safety Adminis-
5 tration may take any action or use any funding to finalize,
6 implement, or enforce the proposed rule entitled “Hours
7 of Service of Drivers” published by the Federal Motor
8 Carrier Safety Administration in the Federal Register on
9 May 2, 2000 (65 Fed. Reg. 25539 et seq. and Docket No.
10 FMCSA 97–2350–953) and issued under the authority
11 delegated to the Administrator under section 113 of title
12 49, United States Code.

13 **SEC. 2. AUTHORITY TO PROCEED THROUGH PROCESS.**

14 Notwithstanding section 1, the Secretary of Trans-
15 portation and the Federal Motor Carrier Safety Adminis-
16 tration may proceed through all stages of the rulemaking
17 (other than adoption of a final rule) for the proposed rule
18 referred to in section 1, including issuing a supplemental
19 notice of proposed rulemaking.

20 **SEC. 3. LIMITATION ON EFFECTIVE DATE OF FINAL RULE.**

21 Subject to section 1, a final rule with respect to the
22 subject matter of the proposed rule referred to in section
23 1 may only take effect after the last day of the 180-day
24 period beginning on the date on which the Secretary of
25 Transportation or the Administrator of the Federal Motor

- 1 Carrier Safety Administration transmits to Congress a
- 2 copy of the final rule.

