

107TH CONGRESS
1ST SESSION

S. 1557

To amend title 49, United States Code, to prohibit the operation of motor vehicles transporting hazardous material by persons not subjected to a background investigation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2001

Ms. SNOWE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to prohibit the operation of motor vehicles transporting hazardous material by persons not subjected to a background investigation, 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,*

3 **SECTION 1. BACKGROUND INVESTIGATIONS OF PERSONS**

4 **TRANSPORTING HAZARDOUS MATERIAL IN**

5 **COMMERCE.**

6 (a) PROHIBITION.—

1 (1) IN GENERAL.—Chapter 51 of title 49,
2 United States Code, is amended by inserting after
3 section 5106 the following new section:

4 **“§ 5106a. Background investigation of drivers of**
5 **motor vehicles transporting hazardous**
6 **material in commerce**

7 “(a) PROHIBITION.—No person operating as a motor
8 carrier may permit a person to operate for the motor car-
9 rier a motor vehicle transporting hazardous material in
10 commerce unless a background investigation of that per-
11 son has been completed in accordance with regulations
12 prescribed under subsection (b).

13 “(b) REGULATIONS.—

14 “(1) REQUIREMENT FOR REGULATIONS.—

15 “(A) IN GENERAL.—The Secretary of
16 Transportation shall prescribe regulations to
17 enforce subsection (a).

18 “(B) CONSULTATION REQUIREMENT.—The
19 Secretary shall consult with the Attorney Gen-
20 eral in prescribing the regulations.

21 “(2) INVESTIGATION PROCEDURES.—The regu-
22 lations shall set forth the procedures for a back-
23 ground investigation, together with the content of
24 the investigation.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter is amended
3 by inserting after the item relating to section 5106
4 the following new item:

“5106a. Background investigation of drivers of motor vehicles transporting haz-
 ardous material in commerce.”.

5 (b) REGULATIONS.—

6 (1) TIME FOR ISSUANCE.—The Secretary of
7 Transportation shall issue the final regulations
8 under section 5106a of title 49, United States Code
9 (as added by subsection (a)), not later than 180
10 days after the date of the enactment of this Act.

11 (2) SENSE OF CONGRESS REGARDING CONTENT
12 OF REGULATIONS.—It is the sense of Congress that
13 the regulations should provide for an investigation
14 under section 5106a of title 49, United States Code
15 (as added by subsection (a)), to include the fol-
16 lowing:

17 (A) Submittal of fingerprints and photo-
18 graphs.

19 (B) Review and comparison of law enforce-
20 ment databases, intelligence databases, and
21 criminal records.

22 (C) Review of Immigration and Naturaliza-
23 tion Service records.

1 (c) EFFECTIVE DATE.—Section 5103a of title 49,
2 United States Code (as added by subsection (a)), shall
3 take effect 180 days after the date of the enactment of
4 this Act.

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