

110TH CONGRESS
2D SESSION

H. R. 5977

To amend title 49, United States Code, to require a motor carrier, broker, or freight forwarder that collects a fuel surcharge to disclose and pay the fuel surcharge to the person responsible for bearing the cost of the fuel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2008

Mr. DEFAZIO (for himself, Mr. PETRI, and Mr. ELLSWORTH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to require a motor carrier, broker, or freight forwarder that collects a fuel surcharge to disclose and pay the fuel surcharge to the person responsible for bearing the cost of the fuel, 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. SHORT TITLE.**

4 This Act may be cited as the “Trust in Reliable Un-
5 derstanding of Consumer Costs Act” or the “TRUCC
6 Act”.

1 **SEC. 2. DISCLOSURE AND PASS THROUGH OF MOTOR CAR-**
2 **RIER FUEL COSTS.**

3 (a) IN GENERAL.—Section 14102 of title 49, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 “(c) DISCLOSURE AND PASS THROUGH TO COST
7 BEARER.—A motor carrier, broker, or freight forwarder
8 providing or arranging transportation or service using fuel
9 for which it does not bear the cost shall provide to the
10 person that bears the cost of such fuel—

11 “(1) a payment in an amount equal to the
12 charges, invoiced or otherwise presented to the per-
13 son directly responsible to the motor carrier, broker,
14 or freight forwarder, which relate to the cost of the
15 fuel; and

16 “(2) at the time payment is made under para-
17 graph (1), a written list that specifically identifies
18 any freight charge, brokerage fee or commission,
19 fuel surcharge or adjustment, and any other charges
20 invoiced or otherwise presented to the person de-
21 scribed in paragraph (1).”.

22 (b) BILLING AND COLLECTION PRACTICES.—Section
23 13708(b) of title 49, United States Code, is amended to
24 read as follows:

25 “(b) FALSE OR MISLEADING INFORMATION.—No
26 person may cause a motor carrier, broker, or freight for-

1 warder to present false or misleading information on a
2 document or in an oral representation about the actual
3 rate, charge, or allowance to any party to the transaction
4 or transportation.”.

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