

110TH CONGRESS  
2D SESSION

# H. R. 7204

To amend title 49, United States Code, to direct the Secretary of Transportation to establish sanctions and penalties applicable to an employer whenever an employee of the employer is convicted of driving an over-the-road bus under the influence of alcohol or a controlled substance while acting within the scope of the employee's employment.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2008

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to direct the Secretary of Transportation to establish sanctions and penalties applicable to an employer whenever an employee of the employer is convicted of driving an over-the-road bus under the influence of alcohol or a controlled substance while acting within the scope of the employee's employment.

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. SANCTIONS APPLICABLE TO EMPLOYERS OF**  
2 **OVER-THE-ROAD BUS DRIVERS CONVICTED**  
3 **OF DRIVING UNDER THE INFLUENCE.**

4 Section 31310 of title 49, United States Code, is  
5 amended by adding at the end the following:

6 “(j) SANCTIONS APPLICABLE TO EMPLOYERS OF  
7 OVER-THE-ROAD BUS DRIVERS CONVICTED OF DRIVING  
8 UNDER THE INFLUENCE.—

9 “(1) SANCTIONS.—The Secretary shall issue  
10 regulations establishing sanctions and penalties ap-  
11 plicable to an employer whenever an employee of the  
12 employer is convicted of driving an over-the-road bus  
13 under the influence of alcohol or a controlled sub-  
14 stance while acting within the scope of the employ-  
15 ee’s employment.

16 “(2) MINIMUM REQUIREMENTS.—The regula-  
17 tions issued under paragraph (1) shall require, at a  
18 minimum, that an employer described in paragraph  
19 (1) be subject for each offense, upon conviction, to  
20 imprisonment for a term not to exceed one year or  
21 a fine under title 18, or both.

22 “(3) OVER-THE-ROAD BUS DEFINED.—In this  
23 subsection, the term ‘over-the-road bus’ means a  
24 commercial motor vehicle providing intercity, fixed-  
25 route over-the-road service or other over-the-road  
26 service, as such terms are defined in section 3038(a)

1 of the Transportation Equity Act for the 21st Cen-  
2 tury (49 U.S.C. 5310 note; 112 Stat. 392).”

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