

114TH CONGRESS
1ST SESSION

H. R. 1371

To improve the Compliance, Safety, Accountability initiative of the Federal Motor Carrier Safety Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2015

Mr. BARLETTA introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To improve the Compliance, Safety, Accountability initiative of the Federal Motor Carrier Safety Administration, 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 “Safer Trucks and
5 Buses Act of 2015”.

6 **SEC. 2. COMPLIANCE, SAFETY, ACCOUNTABILITY INITIA-**
7 **TIVE.**

8 (a) DATA AVAILABILITY AND USE.—

9 (1) AVAILABILITY.—

1 (A) IN GENERAL.—The Secretary of
2 Transportation shall ensure that covered motor
3 carrier data is not made available to the public.

4 (B) RULE OF CONSTRUCTION.—Subpara-
5 graph (A) may not be construed to prevent cov-
6 ered motor carrier data from being made avail-
7 able to law enforcement personnel.

8 (C) TERMINATION.—Subparagraph (A)
9 shall cease to have effect on the date on which
10 the Secretary submits to Congress the report
11 required under subsection (e).

12 (2) USE.—Covered motor carrier data may not
13 be admitted into evidence or otherwise used in a civil
14 action for damages resulting from an incident involv-
15 ing a motor carrier.

16 (b) STUDY.—

17 (1) IN GENERAL.—Not later than 30 days after
18 the date of enactment of this Act, the Secretary
19 shall enter into an agreement with the National
20 Academy of Public Administration to have the Acad-
21 emy conduct a study on how to improve the Compli-
22 ance, Safety, Accountability initiative of the Federal
23 Motor Carrier Safety Administration, including how
24 to ensure that the initiative—

1 (A) utilizes only safety data determined to
2 be predictive of motor carrier crashes;

3 (B) appropriately addresses concerns relat-
4 ing to the age of utilized safety data, including
5 violations;

6 (C) does not unfairly harm small motor
7 carriers as a result of limited safety data avail-
8 ability;

9 (D) appropriately addresses differences be-
10 tween motor carriers transporting passengers
11 and motor carriers transporting freight;

12 (E) allows individual motor carriers to be
13 effectively compared; and

14 (F) utilizes accurate safety data, includ-
15 ing—

16 (i) by appropriately addressing vari-
17 ations between State- and self-reported
18 data;

19 (ii) by accounting for geographic dif-
20 ferences with respect to enforcement; and

21 (iii) by not utilizing crash data from
22 crashes with respect to which a motor car-
23 rier was free from fault.

1 (2) FREE FROM FAULT.—For purposes of para-
2 graph (1)(F)(iii), a motor carrier is free from fault
3 with respect to a crash if—

4 (A) the vehicle of the carrier was struck by
5 another vehicle that—

6 (i) crossed the center line or median
7 of a roadway;

8 (ii) was driving the wrong way on a
9 roadway;

10 (iii) struck the rear of the carrier's ve-
11 hicle while the vehicle was being lawfully
12 operated;

13 (iv) struck the carrier's vehicle while
14 the vehicle was legally stopped at a traffic
15 control device or off the traveled portion of
16 a roadway; or

17 (v) was operated by an individual—

18 (I) found to be driving under the
19 influence of alcohol;

20 (II) found by a law enforcement
21 officer or agency to be responsible for
22 the crash; or

23 (III) who was the sole party cited
24 by law enforcement for an action that
25 contributed to the crash;

1 (B) the crash was the result of an indi-
2 vidual, other than the driver of the carrier's ve-
3 hicle, committing suicide;

4 (C) the vehicle of the carrier was struck by
5 an animal; or

6 (D) the carrier is otherwise determined not
7 responsible for the crash.

8 (e) REPORT.—Not later than 1 year after the date
9 on which the Secretary enters into an agreement under
10 subsection (b), the National Academy of Public Adminis-
11 tration shall submit to the Secretary, the Committee on
12 Transportation and Infrastructure of the House of Rep-
13 resentatives, and the Committee on Commerce, Science,
14 and Transportation of the Senate a report on the results
15 of the study conducted under subsection (b), including rec-
16 ommendations for improvement based on those results.

17 (d) IMPLEMENTATION OF RECOMMENDATIONS.—Not
18 later than 90 days after the date on which the National
19 Academy of Public Administration submits the report re-
20 quired under subsection (c), the Secretary shall begin im-
21 plementing the recommendations included in that report.

22 (e) CERTIFICATION OF IMPLEMENTATION.—Not
23 later than 1 year after the date on which the Secretary
24 begins implementing recommendations under subsection
25 (d), the Secretary shall complete the implementation of

1 such recommendations and shall submit to Congress a re-
2 port that—

3 (1) describes the implementation of such rec-
4 ommendations;

5 (2) contains a document in which the Secretary
6 certifies that such implementation is complete; and

7 (3) contains a document in which the Inspector
8 General of the Department of Transportation cer-
9 tifies that such implementation is complete.

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

12 (1) COVERED MOTOR CARRIER DATA.—The
13 term “covered motor carrier data” means the Com-
14 pliance, Safety, Accountability Safety Measurement
15 System scores and performance data of the Federal
16 Motor Carrier Safety Administration.

17 (2) MOTOR CARRIER.—The term “motor car-
18 rier” has the meaning given that term in section
19 13102 of title 49, United States Code.

○