

115TH CONGRESS
2D SESSION

H. R. 5949

To exempt certain motor carriers engaged in agricultural business from the electronic logging device requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2018

Mr. PETERSON (for himself, Mr. GIANFORTE, and Mr. KING of Iowa) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To exempt certain motor carriers engaged in agricultural business from the electronic logging device requirements, 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 “Agricultural Business
5 Electronic Logging Device Exemption Act of 2018”.

1 **SEC. 2. EXCEPTION TO THE ELECTRONIC LOGGING DEVICE**
2 **REQUIREMENTS FOR CERTAIN MOTOR CAR-**
3 **RIERS ENGAGED IN AGRICULTURAL BUSI-**
4 **NESS.**

5 Section 31137(b)(3) of title 49, United States Code,
6 is amended to read as follows:

7 “(3) EXCEPTION.—

8 “(A) IN GENERAL.—An excepted motor
9 carrier may comply with the hours of service re-
10 quirements by requiring each driver to use—

11 “(i) a paper record of duty status
12 form; or

13 “(ii) an electronic logging device.

14 “(B) EXCEPTED MOTOR CARRIER DE-
15 FINED.—In this paragraph, the term ‘excepted
16 motor carrier’ means—

17 “(i) a motor carrier when transporting
18 a motor home or recreation vehicle trailer
19 within the definition of the term
20 ‘driveaway-towaway operation’ (as defined
21 in section 390.5 of title 49, Code of Fed-
22 eral Regulations);

23 “(ii) a motor carrier when—

24 “(I) transporting an agricultural
25 product (as defined in section 207 of
26 the Agricultural Marketing Act of

1 1946 (7 U.S.C. 1626)) from the
2 source of such product; or

3 “(II) returning empty to such
4 source; and

5 “(iii) a motor carrier when—

6 “(I) transporting farm supplies
7 for agricultural purposes (as defined
8 in section 395.2 of title 49, Code of
9 Federal Regulations) from the dis-
10 tribution point for such farm supplies;
11 or

12 “(II) returning empty to such
13 distribution point.”.

14 **SEC. 3. REQUIREMENT TO PRESCRIBE REGULATIONS.**

15 Not later than 90 days after the date of enactment
16 of this Act, the Secretary of Transportation shall promul-
17 gate such regulations as are necessary to carry out the
18 amendment made by section 2 of this Act.

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