

115TH CONGRESS  
2D SESSION

# S. 2938

To require the Secretary of Transportation to modify provisions relating to hours of service requirements with respect to transportation of livestock and insects, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 23, 2018

Mr. SASSE (for himself, Ms. HEITKAMP, Mr. HOEVEN, Mr. MORAN, Mr. TESTER, Mr. JONES, Mrs. ERNST, Mr. RUBIO, Ms. SMITH, Mr. PAUL, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require the Secretary of Transportation to modify provisions relating to hours of service requirements with respect to transportation of livestock and insects, 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 “Transporting Livestock  
5 Across America Safely Act”.

1 **SEC. 2. HOURS OF SERVICE REGULATIONS FOR TRANSPOR-**  
2 **TATION OF LIVESTOCK AND INSECTS.**

3 The Secretary of Transportation shall amend part  
4 395 of title 49, Code of Federal Regulations, to ensure  
5 that, in the case of a driver transporting livestock (as de-  
6 fined in section 602 of the Agricultural Act of 1949 (7  
7 U.S.C. 1471)) or insects within a 300 air-mile radius from  
8 the point at which the on-duty time of the driver begins  
9 with respect to the trip—

10 (1) the on-duty time of the driver shall exclude  
11 all time spent—

12 (A) at a plant, terminal, facility, or other  
13 property of a motor carrier or shipper or on any  
14 public property during which the driver is wait-  
15 ing to be dispatched;

16 (B) loading or unloading a commercial  
17 motor vehicle;

18 (C) supervising or assisting in the loading  
19 or unloading of a commercial motor vehicle;

20 (D) attending to a commercial motor vehi-  
21 cle while the vehicle is being loaded or un-  
22 loaded;

23 (E) remaining in readiness to operate a  
24 commercial motor vehicle; and

25 (F) giving or receiving receipts for ship-  
26 ments loaded or unloaded;

1           (2) except as provided in paragraph (5), the  
2 driving time under section 395.3(a)(3)(i) of that title  
3 is modified to a maximum of not less than 15, and  
4 not more than 18, hours within a 24-hour period;

5           (3) the driver may take 1 or more rest periods  
6 during the trip, which shall not be included in the  
7 calculation of the driving time;

8           (4) after completion of the trip, the driver shall  
9 be required to take a rest break for a period that  
10 is 5 hours less than the maximum driving time  
11 under paragraph (2);

12           (5) if the driver is within 150 air-miles of the  
13 point of delivery, any additional driving to that point  
14 of delivery shall not be included in the calculation of  
15 the driving time; and

16           (6) the 10-hour rest period under section  
17 395.3(a)(1) of that title shall not apply.

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