To direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

IN THE SENATE OF THE UNITED STATES

February 26, 2019

Mr. Young (for himself, Mr. Tester, Mr. Moran, Mr. Manchin, Mr. Inhofe, Mr. King, and Mr. Cotton) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Developing Responsible Individuals for a Vibrant Economy Act” or the “DRIVE-Safe Act”.

SEC. 2. APPRENTICESHIP PROGRAM FOR COMMERCIAL DRIVERS UNDER THE AGE OF 21.

(a) DEFINITIONS.—In this section:
(1) **Apprentice.**—The term “apprentice” means an individual under the age of 21 who holds a commercial driver’s license.

(2) **Commercial driver’s license.**—The term “commercial driver’s license” has the meaning given the term in section 31301 of title 49, United States Code.

(3) **Commercial motor vehicle.**—The term “commercial motor vehicle” has the meaning given the term in section 390.5 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(4) **Driving time.**—The term “driving time” has the meaning given the term in section 395.2 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) **Experienced driver.**—The term “experienced driver” means an individual who—

(A) is not less than 21 years of age;

(B) has held a commercial driver’s license for the 2-year period ending on the date on which the individual serves as an experienced driver under subsection (c)(3)(B);

(C) has had no preventable accidents reportable to the Department of Transportation.
or pointed moving violations during the 1-year period ending on the date on which the individual serves as an experienced driver under subsection (c)(3)(B); and

(D) has a minimum of 2 years of experience driving a commercial motor vehicle in interstate commerce.

(6) ON-DUTY TIME.—The term “on-duty time” has the meaning given the term in section 395.2 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(7) POINTED MOVING VIOLATION.—The term “pointed moving violation” means a violation that results in points being added to the license of a driver, or a similar comparable violation, as determined by the Secretary.

(8) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(b) APPRENTICE.—An apprentice may—

(1) drive a commercial motor vehicle in interstate commerce while taking part in the 120-hour probationary period under subsection (c)(1) or the 280-hour probationary period under subsection (c)(2), pursuant to an apprenticeship program estab-
lished by an employer in accordance with this sec-

tion; and

(2) drive a commercial motor vehicle in inter-

state commerce after the apprentice completes an

apprenticeship program described in paragraph (1).

(c) Apprenticeship Program.—An apprenticeship

program referred to in subsection (b) is a program that

consists of the following requirements:

(1) 120-Hour Probationary Period.—

(A) In General.—The apprentice shall

complete 120 hours of on-duty time, of which

not less than 80 hours are driving time in a

commercial motor vehicle.

(B) Performance Benchmarks.—In

order to complete the 120-hour probationary

period under subparagraph (A), an employer

shall determine that the apprentice is com-

petent in each of the following areas:

(i) Interstate, city traffic, rural 2-

lane, and evening driving.

(ii) Safety awareness.

(iii) Speed and space management.

(iv) Lane control.

(v) Mirror scanning.

(vi) Right and left turns.
• Logging and complying with rules relating to hours of service.

(2) 280-HOUR PROBATIONARY PERIOD.—

(A) IN GENERAL.—After completing the 120-hour probationary period under paragraph (1), the apprentice shall complete 280 hours of on-duty time, of which not less than 160 hours are driving time in a commercial motor vehicle.

(B) PERFORMANCE BENCHMARKS.—In order to complete the 280-hour probationary period under subparagraph (A), an employer shall determine that the apprentice is competent in each of the following areas:

(i) Backing and maneuvering in close quarters.

(ii) Pre-trip inspections.

(iii) Fueling procedures.

(iv) Weighing loads, weight distribution, and sliding tandems.

(v) Coupling and uncoupling procedures.

(vi) Trip planning, truck routes, map reading, navigation, and permits.

(3) RESTRICTIONS FOR 120-HOUR AND 280-HOUR PROBATIONARY PERIODS.—During the 120-
hour probationary period under paragraph (1) and the 280-hour probationary period under paragraph (2)—

(A) the apprentice may only drive a commercial motor vehicle that has—

(i) automatic manual or automatic transmissions;

(ii) active braking collision mitigation systems;

(iii) forward-facing video event capture; and

(iv) governed speeds of 65 miles per hour at the pedal and 65 miles per hour under adaptive cruise control; and

(B) the apprentice shall be accompanied in the cab of the commercial motor vehicle by an experienced driver.

(4) RECORDS RETENTION.—The employer shall maintain records, in a manner required by the Secretary, relating to the satisfaction of the requirements of paragraphs (1)(B) and (2)(B) by the apprentice.

(5) REPORTABLE INCIDENTS.—If the apprentice is involved in a preventable accident reportable to the Department of Transportation or a pointed
moving violation while driving a commercial motor vehicle as part of an apprenticeship program described in this subsection, the apprentice shall undergo remediation and additional training until the apprentice can demonstrate, to the satisfaction of the employer, competence in each of the performance benchmarks described in paragraphs (1)(B) and (2)(B).

(6) COMPLETION OF PROGRAM.—The apprentice shall be considered to have completed the apprenticeship program on the date on which the apprentice completes the 280-hour probationary period under paragraph (2).

(7) MINIMUM REQUIREMENTS.—

(A) IN GENERAL.—Nothing in this Act prevents an employer from imposing additional requirements on an apprentice taking part in an apprenticeship program established pursuant to this section.

(B) TECHNOLOGIES.—Nothing in this Act prevents an employer from requiring or installing additional technologies in a commercial motor vehicle in addition to the technologies described in paragraph (3)(A).
(d) Regulations.—Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate regulations to implement this Act.

(e) No Effect on License Requirement.—Nothing in this Act exempts an apprentice from any requirement to hold a commercial driver’s license in order to operate a commercial motor vehicle.