

117TH CONGRESS
1ST SESSION

S. 792

To amend the Motor Carrier Safety Improvement Act of 1999 to modify certain agricultural exemptions for hours of service requirements, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 16), 2021

Mrs. FISCHER (for herself, Mr. TESTER, Mr. WICKER, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Motor Carrier Safety Improvement Act of 1999 to modify certain agricultural exemptions for hours of service 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 “Haulers of Agriculture
5 and Livestock Safety Act of 2021” or the “HAULS Act
6 of 2021”.

1 **SEC. 2. TRANSPORTATION OF AGRICULTURAL COMMOD-**
 2 **ITIES AND FARM SUPPLIES.**

3 Section 229 of the Motor Carrier Safety Improve-
 4 ment Act of 1999 (49 U.S.C. 31136 note; Public Law
 5 106–159) is amended—

6 (1) in subsection (a)(1)—

7 (A) in the matter preceding subparagraph
 8 (A), by striking “during planting and harvest
 9 periods, as determined by each State,”; and

10 (B) by striking subparagraph (A) and in-
 11 serting the following:

12 “(A) drivers transporting agricultural com-
 13 modities within a 150 air-mile radius from—

14 “(i) the source of the agricultural
 15 commodities; or

16 “(ii) the destination of the agricul-
 17 tural commodities;”; and

18 (2) in subsection (e)(8), by striking “during the
 19 planting and harvesting seasons within each State,
 20 as determined by the State, and livestock feed at
 21 any time of the year” and inserting “and livestock
 22 feed”.

23 **SEC. 3. DEFINITION OF AGRICULTURAL COMMODITY.**

24 (a) IN GENERAL.—Section 229(e) of the Motor Car-
 25 rier Safety Improvement Act of 1999 (49 U.S.C. 31136

1 note; Public Law 106–159) is amended by striking para-
2 graph (7) and inserting the following:

3 “(7) AGRICULTURAL COMMODITY.—The term
4 ‘agricultural commodity’ has the meaning given the
5 term in section 395.2 of title 49, Code of Federal
6 Regulations (or a successor regulation).”.

7 (b) RULEMAKING.—Not later than 180 days after the
8 date of enactment of this Act, the Secretary of Transpor-
9 tation shall revise the definition of the term “agricultural
10 commodity” in section 395.2 of title 49, Code of Federal
11 Regulations, to include—

12 (1) any nonprocessed product planted or har-
13 vested for food, feed, fuel, or fiber;

14 (2)(A) any nonhuman living animal, includ-
15 ing—

16 (i) fish;

17 (ii) insects; and

18 (iii) livestock (as defined in section 602 of
19 the Emergency Livestock Feed Assistance Act
20 of 1988 (7 U.S.C. 1471)); and

21 (B) the nonprocessed products of any
22 nonhuman living animal, including—

23 (i) milk;

24 (ii) eggs; and

25 (iii) honey;

1 (3) nonprocessed forestry, aquacultural, horti-
2 cultural, and floricultural commodities;

3 (4) fresh or minimally processed fruits and
4 vegetables, including fruits and vegetables that are
5 rinsed, cooled, cut, ripened, or otherwise minimally
6 processed, as determined by the Secretary; and

7 (5) animal feed, including the ingredients of
8 animal feed.

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