

Union Calendar No. 639

118TH CONGRESS
2^D SESSION

H. R. 915

[Report No. 118–773]

To establish a national motor carrier safety selection standard for entities that contract with certain motor carriers to transport goods, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Mr. GALLAGHER (for himself and Mr. MOULTON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

NOVEMBER 26, 2024

Additional sponsors: Mr. MEUSER, Ms. MACE, Ms. VAN DUYNE, Mr. CUELLAR, Mr. WOMACK, Mr. VAN ORDEN, Ms. HOULAHAN, Mr. STAUBER, Mr. NEHLS, Mr. BOST, Mr. MOLINARO, Mr. ALLRED, Mr. YAKYM, Mr. ROUZER, Mr. WILLIAMS of New York, Mr. GRAVES of Louisiana, Mr. GOTTHEIMER, Mrs. GONZÁLEZ-COLÓN, Mr. OWENS, and Mr. FINSTAD

NOVEMBER 26, 2024

Deleted sponsor: Mr. ALLRED (added April 17, 2023; deleted May 22, 2023)

NOVEMBER 26, 2024

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To establish a national motor carrier safety selection standard for entities that contract with certain motor carriers to transport goods, 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 “Motor Carrier Safety
5 Selection Standard Act”.

6 **SEC. 2. MOTOR CARRIER SELECTION STANDARD OF CARE.**

7 (a) IN GENERAL.—

8 (1) SELECTION STANDARD.—For any applicable
9 legal requirement with respect to a covered entity
10 contracting with a covered motor carrier for the
11 shipment of goods or household goods, the covered
12 entity shall be considered reasonable and prudent in
13 the selection of such motor carrier if the covered en-
14 tity verifies, not later than the date of shipment and
15 not earlier than 45 days before the date of shipment,
16 that the covered motor carrier—

17 (A) is registered under section 13902 of
18 title 49, United States Code, as a motor carrier
19 or household goods motor carrier;

20 (B) has at least the minimum insurance
21 coverage required by Federal and State law;
22 and

23 (C) is not determined unfit to operate safe-
24 ly commercial motor vehicles under section
25 31144 of title 49, United States Code, or other-

1 wise ordered to discontinue operations by the
2 Federal Motor Carrier Safety Administration
3 (including not renewing a Department of
4 Transportation registration number) or a State,
5 for intrastate commerce.

6 (2) SUNSET.—The standard established under
7 paragraph (1) shall sunset on the effective date of
8 a regulation issued pursuant to subsection (c).

9 (b) REVOCATION OF REGISTRATION.—Section
10 31144(a) of title 49, United States Code, is amended—

11 (1) in paragraph (3) by striking “and”;

12 (2) in paragraph (4) by striking the period and
13 inserting “; and”; and

14 (3) by adding at the end the following:

15 “(5) prescribe by regulation a process for revok-
16 ing the registration of an owner or operator deter-
17 mined unfit to operate safely a commercial motor ve-
18 hicle under this section.”.

19 (c) RULEMAKING.—

20 (1) IN GENERAL.—Not later than 18 months
21 after the date of enactment of this Act, the Sec-
22 retary shall—

23 (A) update and revise the regulations
24 issued pursuant to subsection (b) of section

1 31144 to include the requirements of subsection
2 (a); and

3 (B) issue such regulations as are necessary
4 to carry out section 31144(a)(5), as added by
5 this Act.

6 (2) FACTORS FOR AN UNSATISFACTORY RAT-
7 ING.—The regulations updated under paragraph
8 (1)(A) shall provide a procedure for the Secretary to
9 determine if a motor carrier is not fit to operate a
10 commercial motor vehicle in or affecting interstate
11 commerce in accordance with such section.

12 (d) SAVINGS CLAUSE.—Nothing in this Act shall be
13 construed to preempt or supercede any State law or regu-
14 lation relating to drayage.

15 (e) DEFINITIONS.—In this Act:

16 (1) COVERED ENTITY.—The term “covered en-
17 tity” means a person acting as—

18 (A) a shipper or cosignee of goods, except
19 that such term does not mean a person acting
20 as an individual shipper (as such term is de-
21 fined in section 13103 of title 49, United States
22 Code);

23 (B) a broker, a freight forwarder, or a
24 household goods freight forwarder (as such

1 terms are defined in section 13102 of title 49,
2 United States Code);

3 (C) an ocean transportation intermediary
4 (as such term is defined in section 40102 of
5 title 46, United States Code), when arranging
6 for inland transportation as part of an inter-
7 national through movement involving ocean
8 transportation between the United States and a
9 foreign port;

10 (D) an indirect air carrier holding a
11 Standard Security Program approved by the
12 Transportation Security Administration, only to
13 the extent that the indirect air carrier is engag-
14 ing in the activities as an air carrier as defined
15 in section 40102(2) or in the activities defined
16 in section 40102(3);

17 (E) a customs broker licensed in accord-
18 ance with section 111.2 of title 19, Code of
19 Federal Regulations, only to the extent that the
20 customs broker is engaging in a movement
21 under a customs bond or in a transaction in-
22 volving customs business, as defined by section
23 111.1 of title 19, Code of Federal Regulations;
24 or

1 (F) a motor carrier registered under chap-
2 ter 139 of title 49, United States Code.

3 (2) COVERED MOTOR CARRIER.—The term
4 “covered motor carrier” means a motor carrier or a
5 household goods motor carrier (as such terms are
6 defined in section 13102 of title 49, United States
7 Code) that is subject to Federal motor carrier finan-
8 cial responsibility and safety regulations.

9 (3) HOUSEHOLD GOODS.—The term “household
10 goods” has the meaning given the term in section
11 13102 of title 49, United States Code.

12 (4) SECRETARY.—The term “Secretary” means
13 the Secretary of Transportation.

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