

112TH CONGRESS
1ST SESSION

H. R. 572

To amend title 49, United States Code, to provide certain port authorities,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2011

Mr. NADLER (for himself, Ms. MOORE, Mr. SCHIFF, Ms. LEE of California, Mr. ACKERMAN, Mr. STARK, Mr. FILNER, Mr. WU, Ms. ZOE LOFGREN of California, Ms. SPEIER, Mrs. MALONEY, Mr. WEINER, Mr. BERMAN, Mrs. NAPOLITANO, Mr. SERRANO, Mr. HOLT, Mr. GRIJALVA, Mr. MORAN, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. PALLONE, Mr. SIRES, Ms. WOOLSEY, Mr. HIGGINS, Mr. KUCINICH, Mrs. MCCARTHY of New York, Mr. ISRAEL, Mr. BISHOP of New York, Mr. CONNOLLY of Virginia, Mr. ELLISON, Ms. SLAUGHTER, Mr. HONDA, Ms. HIRONO, Ms. MATSUI, Ms. ROYBAL-ALLARD, Ms. WASSERMAN SCHULTZ, Mr. SHERMAN, Mr. CAPUANO, Ms. LINDA T. SÁNCHEZ of California, Ms. VELÁZQUEZ, Mr. THOMPSON of California, Mrs. LOWEY, Mr. GARAMENDI, Mr. BLUMENAUER, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. MCNERNEY, Mr. CRITZ, Mr. ROTHMAN of New Jersey, Mr. PAYNE, and Mr. INSLEE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to provide certain
port authorities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Clean Ports Act of
3 2011”.

4 **SEC. 2. APPLICABILITY TO PORT FACILITIES.**

5 Section 14501(c) of title 49, United States Code, is
6 amended—

7 (1) in paragraph (2)(A)—

8 (A) by striking “or” after “cargo,”; and

9 (B) by inserting before the semicolon the
10 following: “, or the authority of a State, polit-
11 ical subdivision of a State, or political authority
12 of 2 or more States to adopt requirements for
13 motor carriers and commercial motor vehicles
14 providing services at port facilities that are rea-
15 sonably related to the reduction of environ-
16 mental pollution, traffic congestion, the im-
17 provement of highway safety, or the efficient
18 utilization of port facilities, if adoption or en-
19 forcement of such requirements does not con-
20 flict with any other applicable Federal law or
21 regulation”; and

22 (2) by adding at the end the following:

23 “(6) CLARIFICATION FOR PARAGRAPH (2).—

24 “(A) DEFINITION OF PORT FACILITIES.—

25 For purposes of paragraph (2)(A), the term
26 ‘port facilities’ means all port facilities for

1 coastwise, intercoastal, inland waterways, and
2 Great Lakes shipping and overseas shipping, in-
3 cluding, wharves, piers, sheds, warehouses, ter-
4 minals, yards, docks, control towers, container
5 equipment, maintenance buildings, container
6 freight stations and port equipment, including
7 harbor craft, cranes, and straddle carriers.

8 “(B) APPLICABILITY OF CLEAN AIR ACT.—
9 Nothing in paragraph (1) shall limit the rights
10 reserved to any State or a political subdivision
11 thereof under the Clean Air Act (42 U.S.C.
12 7401 et seq.).”.

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