

112TH CONGRESS  
1ST SESSION

# S. 1450

To amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 29, 2011

Ms. SNOWE 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 amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, 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 “Commercial Truck  
5 Safety Act”.

6 **SEC. 2. COMMERCIAL TRUCK SAFETY PROGRAM.**

7 (a) IN GENERAL.—Chapter 4 of title 23, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1 **“§ 413. Commercial truck safety program**

2 “(a) DEFINITION OF COVERED TRUCK.—In this sec-  
3 tion, the term ‘covered truck’ means a 6-axle truck with  
4 a maximum gross weight of up to 100,000 pounds.

5 “(b) PROGRAM.—The Secretary shall establish a pro-  
6 gram to improve commercial motor vehicle safety on high-  
7 ways on the Interstate System in accordance with this sec-  
8 tion.

9 “(c) STATE WAIVERS FOR COVERED TRUCKS ON  
10 INTERSTATE SYSTEM.—

11 “(1) IN GENERAL.—Not later than 60 days  
12 after the date of enactment of this section, the Sec-  
13 retary shall initiate a rulemaking to establish, by  
14 regulation, a demonstration program under which  
15 the Governor of a State may request from the Sec-  
16 retary, and the Secretary may grant, a 3-year waiver  
17 to covered trucks to operate on highways on the  
18 Interstate System in the State.

19 “(2) SUBMISSION OF REQUEST.—The Governor  
20 of a State seeking a waiver under this subsection  
21 shall submit to the Secretary a request for the wai-  
22 ver that includes—

23 “(A) a description of the proposed route of  
24 each highway, or portion of a highway, on the  
25 Interstate System on which covered trucks  
26 would be permitted to operate;

1           “(B) a certification by the chief engineer  
2 of the State transportation department that the  
3 proposed route could safely accommodate traffic  
4 that includes covered trucks;

5           “(C) a certification that the Interstate Sys-  
6 tem within the State is maintained in good re-  
7 pair; and

8           “(D) such other information as the Sec-  
9 retary may require.

10       “(3) DETERMINATIONS.—

11           “(A) IN GENERAL.—The Secretary shall—

12                   “(i) not later than 30 days after the  
13 date of receipt of a waiver request under  
14 paragraph (2)—

15                           “(I) acknowledge receipt of the  
16 request; and

17                           “(II) commence a review of the  
18 waiver request; and

19                   “(ii) not later than 90 days after the  
20 date of receipt, notify the Governor and  
21 appropriate members of the State legisla-  
22 ture of the decision of the Secretary on the  
23 request.

24           “(B) DISAPPROVAL.—If the Secretary dis-  
25 approves a request for a waiver under this sub-

1 section, the Secretary shall include with the no-  
2 tice of disapproval the specific safety concerns  
3 of the Secretary with respect to the highways  
4 covered by the request.

5 “(C) FAILURE TO ACT.—A request for a  
6 waiver shall be considered to be approved under  
7 this subsection if the Secretary fails—

8 “(i) to approve or disapprove a re-  
9 quest in accordance with subparagraph  
10 (A); or

11 “(ii) to include with a notice of dis-  
12 approval the specific safety concerns of the  
13 Secretary as required by subparagraph  
14 (B).

15 “(4) DATA COLLECTION AND REVIEW.—

16 “(A) IN GENERAL.—As a condition of re-  
17 ceiving a waiver under this subsection, a State  
18 transportation department that receives such a  
19 waiver shall—

20 “(i) collect data on the effects of the  
21 waiver (particularly the effects on accident  
22 rates involving heavier trucks);

23 “(ii) establish a safety committee to  
24 review the data; and

1           “(iii) establish rules and operating  
2           procedures for the program under this sec-  
3           tion.

4           “(B) SAFETY COMMITTEE.—The safety  
5           committee of a State referred to in subpara-  
6           graph (A)(ii) shall—

7                   “(i) be appointed by the Governor of  
8           the State;

9                   “(ii) at a minimum, consist of—

10                           “(I) 1 member of the traveling  
11           public;

12                           “(II) 1 member from a business  
13           that uses truck transportation serv-  
14           ices;

15                           “(III) 1 commercial truck driver;

16                           “(IV) 1 professional engineer  
17           from the State department of trans-  
18           portation; and

19                           “(V) 1 member of a highway  
20           safety group; and

21                   “(iii) submit to the State and the Sec-  
22           retary, for each of the 3 years a waiver re-  
23           ceived under this subsection is in effect, an  
24           annual report describing the data reviewed

1 by the safety committee during the year  
2 covered by the report.

3 “(C) RECORD OF APPROVAL.—At the end  
4 of the 3-year period of the program under this  
5 subsection, unless the Secretary, with the advice  
6 of the safety committee of a State established  
7 under subparagraph (A)(ii), determines that a  
8 waiver granted to the State under this sub-  
9 section has resulted in an adverse impact on  
10 highway safety in the State and publishes the  
11 determination in the Federal Register, the waiv-  
12 er provided to the State under this section shall  
13 be considered to be permanent.

14 “(D) WAIVER OF VEHICLE WEIGHT LIM-  
15 ITS.—Notwithstanding section 127(a), a State  
16 that receives a waiver under this subsection  
17 shall not lose any apportionment to the State  
18 under chapter 1 by reason of noncompliance  
19 with any of the vehicle weight provisions of sec-  
20 tion 127 applicable to the use of certain vehicles  
21 weighing over 80,000 pounds on a highway.”.

22 **SEC. 3. CONFORMING AMENDMENT.**

23 The analysis for chapter 4 of title 23, United States  
24 Code, is amended by adding at the end the following:

“413. Commercial truck safety program.”.