

112TH CONGRESS
1ST SESSION

S. 2023

To establish a safety performance rating system for motorcoach services
and operations.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2011

Mr. SCHUMER introduced the following bill; which was read twice and referred
to the Committee on Commerce, Science, and Transportation

A BILL

To establish a safety performance rating system for
motorcoach services and operations.

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. DISCLOSURE OF SAFETY PERFORMANCE RAT-**
4 **INGS OF MOTORCOACH SERVICES AND OPER-**
5 **ATIONS.**

6 (a) IN GENERAL.—Subchapter I of chapter 141 of
7 title 49, United States Code, is amended by adding at the
8 end the following:

1 **“§ 14105. Safety performance ratings of motorcoach**
 2 **services and operations**

3 “(a) DEFINITIONS.—In this section:

4 “(1) MOTORCOACH.—

5 “(A) IN GENERAL.—Except as provided in
 6 subparagraph (B), the term ‘motorcoach’ has
 7 the meaning given to the term ‘over-the-road
 8 bus’ in section 3038(a)(3) of the Transpor-
 9 tation Equity Act for the 21st Century (49
 10 U.S.C. 5310 note).

11 “(B) INCLUSIONS AND EXCLUSIONS.—The
 12 term ‘motorcoach’—

13 “(i) includes a motor vehicle used to
 14 transport passengers that has a gross vehi-
 15 cle weight of at least 10,001 pounds; and

16 “(ii) does not include—

17 “(I) a bus used in public trans-
 18 portation that is provided by a State
 19 or local government; or

20 “(II) a school bus (as defined in
 21 section 30125(a)(1)), including a
 22 multifunction school activity bus.

23 “(2) MOTORCOACH SERVICES AND OPER-
 24 ATIONS.—The term ‘motorcoach services and oper-
 25 ations’ means passenger transportation by a motor-
 26 coach for compensation.

1 “(b) RULEMAKING.—

2 “(1) IN GENERAL.—Not later than 1 year after
3 the date of the enactment of this section, the Sec-
4 retary shall require, by regulation—

5 “(A) each motor carrier that owns or
6 leases 1 or more motorcoaches that transport
7 passengers subject to the Secretary’s jurisdic-
8 tion under section 13501 to display prominently
9 in each motorcoach it operates, and in all an-
10 nouncements, advertisements, and points of sale
11 for such motorcoach services and operations, a
12 simple and understandable letter grade rating
13 system that allows motorcoach passengers to
14 compare the safety performance of motorcoach
15 operators; and

16 “(B) any person who sells tickets for mo-
17 torcoach services and operations to display the
18 letter grade rating system described in subpara-
19 graph (A) in all announcements, advertise-
20 ments, and points of sale for such motorcoach
21 services and operations.

22 “(2) ITEMS INCLUDED IN THE RULEMAKING.—
23 In promulgating safety performance ratings for
24 motorcoaches pursuant to the rulemaking required
25 under paragraph (1), the Secretary shall consider—

1 “(A) the frequency with which safety per-
2 formance ratings will be assigned and updated,
3 which updates shall take place at least once per
4 year;

5 “(B) the specific data elements and
6 sources of information to be utilized in estab-
7 lishing and updating safety performance ratings
8 for motorcoaches;

9 “(C) the need and extent to which safety
10 performance ratings should be made available
11 in languages other than English; and

12 “(D) penalties authorized under section
13 521.

14 “(3) INSUFFICIENT INSPECTIONS.—Any motor
15 carrier that has not received sufficient inspections or
16 been subject to a compliance review during the most
17 recent 12-month period shall display a ‘No Safety
18 Data’ rating in lieu of a letter grade rating in ac-
19 cordance with paragraph (1)(A).

20 “(c) EFFECT ON STATE AND LOCAL LAW.—Nothing
21 in this section may be construed to preempt a State, or
22 a political subdivision of a State, from enforcing any re-
23 quirements concerning the manner and content of con-
24 sumer information provided by motor carriers that are not

1 subject to the Secretary's jurisdiction under section
2 13501.”.

3 (b) CLERICAL AMENDMENT.—The analysis of chap-
4 ter 141 of title 49, United States Code, is amended by
5 inserting after the item relating to section 14104 the fol-
6 lowing:

“Sec. 14105. Safety performance ratings of motorcoach services and oper-
ations.”.

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