

[STAFF WORKING DRAFT]

JUNE 24, 2003

108TH CONGRESS
1ST SESSION

S. _____

To authorize funds for highway safety programs, motor carrier safety programs, hazardous materials transportation safety programs, boating safety programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE —, 2003

Mr. McCAIN (for himself and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To authorize funds for highway safety programs, motor carrier safety programs, hazardous materials transportation safety programs, boating safety programs, 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 “Surface Transpor-
3 tation Safety Reauthorization Act of 2003”.

4 SEC. 2. TABLE OF CONTENTS.

5 The table of contents for this Act is as follows:

Sec. 1. Short Title.
Sec. 2. Table of Contents.

TITLE I—HIGHWAY SAFETY

SUBTITLE A—HIGHWAY SAFETY GRANT PROGRAM

Sec. 101. Short title; amendment of title 23, United States Code.
Sec. 102. Authorization of appropriations.
Sec. 103. Highway safety programs.
Sec. 104. Highway safety research and outreach programs.
Sec. 105. National highway safety advisory committee technical correction.
Sec. 106. School bus driver training.
Sec. 107. Emergency medical services.
Sec. 108. Repeal of authority for alcohol traffic safety programs.
Sec. 109. Impaired driving program.
Sec. 110. State traffic safety information system improvements.
Sec. 111. NHTSA accountability.
Sec. 112. Effective dates.

SUBTITLE B—SPECIFIC VEHICLE SAFETY-RELATED RULINGS

Sec. 151. Amendment of title 49, United States Code.
Sec. 152. Load capacity labeling for light trucks.
Sec. 153. Vehicle crash ejection prevention.
Sec. 154. Vehicle backover avoidance technology study.
Sec. 155. Establishment of data base on injuries and deaths from motor vehicles in circumstances that do not involve traffic or accidents.
Sec. 156. Aggressivity and incompatibility reduction standard.
Sec. 157. Improved crashworthiness.
Sec. 158. Aggressivity and incompatibility reduction standard.
Sec. 159. 15-passenger vans.
Sec. 160. Authorization of appropriations.

TITLE II—MOTOR CARRIER SAFETY AND UNIFIED CARRIER REGISTRATION

Sec. 201. Short title; amendment of title 49, United States Code.
Sec. 202. Required completion of overdue reports, studies, and rulemakings.
Sec. 203. Contract authority.

SUBTITLE A—MOTOR CARRIER SAFETY

Sec. 221. Minimum guarantee.
Sec. 222. Authorization of appropriations.
Sec. 223. Motor carrier safety grants.
Sec. 224. Study of CDL program.
Sec. 225. CDL learner’s permit program.
Sec. 226. Hobbs Act.
Sec. 227. Penalty for denial of access to records.
Sec. 228. Medical review board and medical examiners.
Sec. 229. Operation of commercial motor vehicles by individuals who use insulin to treat diabetes mellitus.
Sec. 230. Financial responsibility for private motor carriers.
Sec. 231. Increased penalties for out-of-service violations and false records.
Sec. 232. Elimination of commodity and service exemptions.
Sec. 233. Intrastate operations of interstate motor carriers.
Sec. 234. Authority to stop commercial motor vehicles.
Sec. 235. Revocation of operating authority.
Sec. 236. Pattern of safety violations by motor carrier management.
Sec. 237. Motor carrier research and technology program.
Sec. 238. Review of commercial zone exemption provision.
Sec. 238. International cooperation.
Sec. 239. Performance and registration information system management.
Sec. 240. Commercial vehicle information systems and networks deployment.
Sec. 241. Outreach and education.
Sec. 242. Technical correction.

TITLE III—HOUSEHOLD GOODS TRANSPORTATION

Sec. 301. Short title; amendment of title 49, United States Code.
Sec. 302. Findings; sense of Congress.
Sec. 303. Definitions.

- Sec. 304. Payment of rates.
- Sec. 305. Household goods carrier operations.
- Sec. 306. Liability of carriers under receipts and bills of lading.
- Sec. 307. Dispute settlement for shipments of household goods.
- Sec. 308. Enforcement of regulations related to transportation of household goods.
- Sec. 309. Working group for development of practices and procedures to enhance Federal-State relations.
- Sec. 310. Consumer handbook on DOT website.
- Sec. 311. Information about household goods transportation on carriers' websites.
- Sec. 312. Consumer complaints.
- Sec. 313. Review of liability of carriers.
- Sec. 314. Civil penalties relating to household goods brokers.
- Sec. 315. Civil and criminal penalty for failing to give up possession of household goods.
- Sec. 316. Progress report.

TITLE IV—HAZARDOUS MATERIALS TRANSPORTATION SAFETY AND SECURITY

- Sec. 401. Short title; table of contents.
- Sec. 402. Amendment of title 49, United States Code.

SUBTITLE A—GENERAL AUTHORITIES ON TRANSPORTATION OF HAZARDOUS MATERIALS

- Sec. 421. Purpose.
- Sec. 422. Definitions.
- Sec. 423. General regulatory authority.
- Sec. 424. Limitation on issuance of hazmat licenses.
- Sec. 425. Representation and tampering.
- Sec. 426. Transporting certain highly radioactive material.
- Sec. 427. Hazmat employee training requirements and grants.
- Sec. 428. Registration.
- Sec. 429. Shipping papers and disclosure.
- Sec. 430. Rail tank cars.
- Sec. 431. Highway routing of hazardous material.
- Sec. 432. Unsatisfactory safety ratings.
- Sec. 433. Air transportation of ionizing radiation material.
- Sec. 434. Training curriculum for the public sector.
- Sec. 435. Planning and training grants; emergency preparedness fund.
- Sec. 436. Special permits and exclusions.
- Sec. 437. Uniform forms and procedures.
- Sec. 438. International uniformity of standards and requirements.
- Sec. 439. Hazardous materials transportation safety and security.
- Sec. 440. Enforcement.
- Sec. 441. Civil penalties.
- Sec. 442. Criminal penalties.
- Sec. 443. Preemption.
- Sec. 444. Relationship to other laws.
- Sec. 445. Judicial review.
- Sec. 446. Authorization of appropriations.
- Sec. 447. Additional civil and criminal penalties.

SUBTITLE B—OTHER MATTERS

- Sec. 461. Administrative authority for Research and Special Programs Administration.
- Sec. 462. Mailability of hazardous materials.
- Sec. 463. Criminal matters.
- Sec. 464. Cargo inspection program.
- Sec. 465. Information on hazmat registrations.
- Sec. 466. Report on applying hazardous materials regulations to persons who reject hazardous materials.

SUBTITLE C—SANITARY FOOD TRANSPORTATION

- Sec. 481. Short title.
- Sec. 482. Responsibilities of the Secretary of Health and Human Services.
- Sec. 483. Department of Transportation requirements.
- Sec. 484. Effective date.

TITLE V—RECREATIONAL BOATING SAFETY PROGRAMS

- Sec. 501. Short title.

SUBTITLE A—FEDERAL AID IN SPORT FISH RESTORATION ACT AMENDMENTS

- Sec. 521. Amendment of Federal Aid in Fish Restoration Act.
- Sec. 522. Authorization of appropriations.
- Sec. 523. Division of annual appropriations.
- Sec. 524. Maintenance of projects.
- Sec. 525. Boating infrastructure.
- Sec. 526. Requirements and restrictions concerning use of amounts for expenses for administration.
- Sec. 527. Payments of funds to and cooperation with Puerto Rico, the District of Columbia, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands.
- Sec. 528. Multistate conservation grant program.

SUBTITLE B—CLEAN VESSEL ACT AMENDMENTS

Sec. 541. Grant program.

SUBTITLE C—RECREATIONAL BOATING SAFETY PROGRAM AMENDMENTS

Sec. 561. State matching funds requirement.

Sec. 562. Availability of allocations.

Sec. 563. Authorization of appropriations for State recreational boating safety programs.

Sec. 564. Maintenance of effort for State recreational boating safety programs.

SUBTITLE D—AMENDMENTS TO THE TRUST FUND CODE

Sec. 581. Transfers from the trust fund for motorboat fuel taxes.

Sec. 582. Expenditures from the boat safety account.

1 **TITLE I—HIGHWAY SAFETY**

2 SUBTITLE A—HIGHWAY SAFETY GRANT PROGRAM

3 **SEC 101. SHORT TITLE; AMENDMENT OF TITLE 23, UNITED**

4 **STATES CODE.**

5 (a) SHORT TITLE.—This subtitle may be cited as the
6 “Highway Safety Grant Program Reauthorization Act of
7 2003”.

8 (b) AMENDMENT OF TITLE 23, UNITED STATES
9 CODE.—Except as otherwise expressly provided, whenever
10 in this subtitle an amendment or repeal is expressed in
11 terms of an amendment to, or a repeal of, a section or
12 other provision, the reference shall be considered to be
13 made to a section or other provision of title 23, United
14 States Code.

15 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) AMOUNTS FOR FISCAL YEARS 2004 THROUGH
17 2009.—There are authorized to be appropriated from the
18 Highway Trust Fund (other than the Mass Transit Ac-
19 count) to the Secretary of Transportation for the National
20 Highway Traffic Safety Administration the following: