AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. DENHAM OF CALIFORNIA

At the end of subtitle D of title I of Division A, insert the following:

SEC. ___. FEDERAL AUTHORITY.

(a) In General.—Section 14501(c) of title 49, United States Code, is amended —

(1) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting “paragraphs (3) and (4)”;

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

“(2) ADDITIONAL LIMITATIONS.—

“(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full
extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

“(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piece-rate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

“(C) Nothing in this paragraph shall be construed to limit the provisions of paragraph (1).”
(4) in paragraph (3) (as redesignated) by striking “Paragraph (1)—” and inserting “Paragraphs (1) and (2)—”; and

(5) in paragraph (4)(A) (as redesignated) by striking “Paragraph (1)” and inserting “Paragraphs (1) and (2)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).