

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:

1 **SEC. ____. FEDERAL AUTHORITY.**

2 (a) IN GENERAL.—Section 14501(c) of title 49,
3 United States Code, is amended —

4 (1) in paragraph (1), by striking “paragraphs
5 (2) and (3)” and inserting “paragraphs (3) and
6 (4)”;

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

9 (3) by inserting after paragraph (1) the fol-
10 lowing:

11 “(2) ADDITIONAL LIMITATIONS.—

12 “(A) A State, political subdivision of a
13 State, or political authority of 2 or more States
14 may not enact or enforce a law, regulation, or
15 other provision having the force and effect of
16 law prohibiting employees whose hours of serv-
17 ice are subject to regulation by the Secretary
18 under section 31502 from working to the full

1 extent permitted or at such times as permitted
2 under such section, or imposing any additional
3 obligations on motor carriers if such employees
4 work to the full extent or at such times as per-
5 mitted under such section, including any related
6 activities regulated under part 395 of title 49,
7 Code of Federal Regulations.

8 “(B) A State, political subdivision of a
9 State, or political authority of 2 or more States
10 may not enact or enforce a law, regulation, or
11 other provision having the force and effect of
12 law that requires a motor carrier that com-
13 pensates employees on a piece-rate basis to pay
14 those employees separate or additional com-
15 pensation, provided that the motor carrier pays
16 the employee a total sum that when divided by
17 the total number of hours worked during the
18 corresponding work period is equal to or greater
19 than the applicable hourly minimum wage of
20 the State, political subdivision of the State, or
21 political authority of 2 or more States.

22 “(C) Nothing in this paragraph shall be
23 construed to limit the provisions of paragraph
24 (1).”.

1 (4) in paragraph (3) (as redesignated) by strik-
2 ing “Paragraph (1)—” and inserting “Paragraphs
3 (1) and (2)—”; and

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

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

