

AMENDMENT TO H.R. 4
OFFERED BY MR. DUNCAN OF TENNESSEE

Page 267, after line 10, insert the following:

1 **SEC. ____ . NATIONAL HIRING STANDARD OF CARE.**

2 (a) IN GENERAL.—An entity hiring a federally li-
3 censed motor carrier shall be deemed to have made the
4 selection of the motor carrier in a reasonable and prudent
5 manner if before tendering a shipment, but not more than
6 45 days before the pickup of the shipment by the hired
7 motor carrier, that entity verified that the motor carrier,
8 at the time of such verification—

9 (1) is registered with and authorized by the
10 Federal Motor Carrier Safety Administration to op-
11 erate as a motor carrier or household goods motor
12 carrier, if applicable;

13 (2) has the minimum insurance coverage re-
14 quired by Federal law; and

15 (3)(A) before the safety fitness determination
16 regulations are issued, does not have an unsatisfac-
17 tory safety fitness determination issued by the Fed-
18 eral Motor Carrier Safety Administration in force at
19 the time of such verification; or

1 (B) beginning on the date that revised safety
2 fitness determination regulations are implemented,
3 does not have a safety fitness rating issued by the
4 Federal Motor Carrier Safety Administration under
5 such regulations that would place a motor carrier
6 out-of-service.

7 (b) GUIDELINES.—Not later than 30 days after the
8 implementation of the safety fitness determination ref-
9 erenced in subsection (a)(3), the Secretary shall issue
10 guidelines that specifically outline how a motor carrier's
11 operating authority and registration number could be re-
12 voked and subsequently placing them out-of-service.

