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

Page 267, after line 10, insert the following:

SEC. ___. NATIONAL HIRING STANDARD OF CARE.

(a) In General.—An entity hiring a federally licensed motor carrier shall be deemed to have made the selection of the motor carrier in a reasonable and prudent manner if before tendering a shipment, but not more than 45 days before the pickup of the shipment by the hired motor carrier, that entity verified that the motor carrier, at the time of such verification—

(1) is registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a motor carrier or household goods motor carrier, if applicable;

(2) has the minimum insurance coverage required by Federal law; and

(3)(A) before the safety fitness determination regulations are issued, does not have an unsatisfactory safety fitness determination issued by the Federal Motor Carrier Safety Administration in force at the time of such verification; or
(B) beginning on the date that revised safety fitness determination regulations are implemented, does not have a safety fitness rating issued by the Federal Motor Carrier Safety Administration under such regulations that would place a motor carrier out-of-service.

(b) GUIDELINES.—Not later than 30 days after the implementation of the safety fitness determination referenced in subsection (a)(3), the Secretary shall issue guidelines that specifically outline how a motor carrier’s operating authority and registration number could be revoked and subsequently placing them out-of-service.