

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. MOULTON OF MASSACHUSETTS**

At the end of title III, add the following new section:

1 **SEC. 3 ____ . EVALUATION OF MOTOR CARRIER SAFETY PER-**
2 **FORMANCE UNDER THE TRANSPORTATION**
3 **PROTECTIVE SERVICE PROGRAM.**

4 (a) IN GENERAL.—Not later than December 1, 2017,
5 the Secretary of Defense, acting through the Commander
6 of the United States Transportation Command, shall en-
7 sure that guidelines for the evaluation of motor carrier
8 safety performance under the Transportation Protective
9 Service program address motor carriers with poor Safety
10 Measurement System scores by using an increased data
11 sufficiency standard as described in footnote 31 of the
12 Government Accountability Office report numbered GAO-
13 16-82 and titled “Defense Transportation: DOD Needs to
14 Improve the Evaluation of Safety and Performance Infor-
15 mation for Carriers Transporting Security-Sensitive Mate-
16 rials”.

17 (b) CARRIER ELIGIBILITY.—Except as provided in
18 subsection (c), a motor carrier shall not be eligible to make
19 shipments under the Transportation Protective Service

1 program if the carrier does not meet the increased data
2 sufficiency standard described in subsection (a) and has
3 Safety Measurement System scores greater than the 50th
4 percentile in any of the Behavior Analysis and Safety Im-
5 provement Categories with the exception of Hazardous
6 Materials Compliance.

7 (c) EXCEPTIONS.— A motor carrier authorized to
8 make shipments under the Transportation Protective
9 Service program before December 1, 2017, that is deter-
10 mined to be deficient under subsection (b), shall be given
11 the opportunity to remedy the deficiency during the 90
12 day period beginning on the date of such determination,
13 prior to being found ineligible under such subsection.

14 (d) CARRIER PERFORMANCE.—The Secretary shall
15 consider the Safety Measurement System scores of a
16 motor carrier in awarding shipment contracts under the
17 Transportation Protective Service program.

18 (e) SAFETY TECHNOLOGY.—To avoid catastrophic
19 accidents and exposure of material, the Secretary shall
20 evaluate the need for proven safety technology in vehicles
21 transporting Transportation Protective Services ship-
22 ments, such as electronic logging devices, roll stability con-
23 trol, forward collision avoidance, lane departure warning
24 systems, and speed limiters.

