AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 7
OFFERED BY MR. LEWIS OF GEORGIA AND MR.
POE OF TEXAS

Page 585, after line 7, insert the following:

PART 1—IN GENERAL

Page 618, beginning on line 17, strike “COMMERCIAL MOTOR VEHICLE SAFETY STANDARDS” and insert “SAFETY STANDARDS FOR COMMERCIAL MOTOR VEHICLES OF PROPERTY”.

Page 618, strike line 19 and all that follows through “(1) RESEARCH.—The Secretary” on line 21 and insert the following:

(a) RESEARCH.—The Secretary

Page 619, strike line 1 and all that follows through “subsection,” on line 2 and insert the following:

(b) COMMERCIAL MOTOR VEHICLE OF PROPERTY DEFINED.—In this section,

Page 619, strike line 8 and all that follows through line 16 on page 628.
PART 2—MOTORCOACH ENHANCED SAFETY

SEC. 6321. DEFINITIONS.

In this part:

(1) ADVANCED GLAZING.—The term “advanced glazing” means glazing installed in a portal on the side or the roof of a motorcoach that is designed to be highly resistant to partial or complete occupant ejection in all types of motor vehicle crashes.

(2) BUS.—The term “bus” has the meaning given the term in section 571.3(b) of title 49, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(3) COMMERCIAL MOTOR VEHICLE.—Except as otherwise specified, the term “commercial motor vehicle” has the meaning given the term in section 31132(1) of title 49, United States Code.

(4) DIRECT TIRE PRESSURE MONITORING SYSTEM.—The term “direct tire pressure monitoring system” means a tire pressure monitoring system that is capable of directly detecting when the air pressure level in any tire is significantly under-inflated and providing the driver a low tire pressure warning as to which specific tire is significantly under-inflated.
(5) ELECTRONIC ON-BOARD RECORDER.—The term “electronic on-board recorder” means an electronic device that acquires and stores data showing the record of duty status of the vehicle operator and performs the functions required of an automatic on-board recording device in section 395.15(b) of title 49, Code of Federal Regulations.

(6) EVENT DATA RECORDER.—The term “event data recorder” has the meaning given that term in section 563.5 of title 49, Code of Federal Regulations.

(7) MOTOR CARRIER.—The term “motor carrier” means—

(A) a motor carrier (as defined in section 13102(14) of title 49, United States Code); or

(B) a motor private carrier (as defined in section 13102(15) of that title).

(8) MOTORCOACH.—The term “motorcoach” has the meaning given the term “over-the-road bus” in section 13102 of title 49, United States Code, but does not include—

(A) a bus used in public transportation provided by, or on behalf of, a public transportation agency; or
(B) a school bus, including a multifunction school activity bus.

(9) MOTORCOACH SERVICES.—The term “motorcoach services” means passenger transportation by motorcoach for compensation.

(10) MULTIFUNCTION SCHOOL ACTIVITY BUS.—The term “multifunction school activity bus” has the meaning given the term in section 571.3(b) of title 49, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(11) PORTAL.—The term “portal” means any opening on the front, side, rear, or roof of a motorcoach that could, in the event of a crash involving the motorcoach, permit the partial or complete ejection of any occupant from the motorcoach, including a young child.

(12) PROVIDER OF MOTORCOACH SERVICES.—The term “provider of motorcoach services” means a motor carrier that provides passenger transportation services with a motorcoach, including per-trip compensation and contracted or chartered compensation.

(13) PUBLIC TRANSPORTATION.—The term “public transportation” has the meaning given the term in section 5302 of title 49, United States Code.
(14) Safety belt.—The term “safety belt” has the meaning given the term in section 153(i)(4)(B) of title 23, United States Code.

SEC. 6322. REGULATIONS FOR IMPROVED OCCUPANT PROTECTION, PASSENGER EVACUATION, AND CRASH AVOIDANCE.

(a) Regulations required within 1 year.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prescribe regulations requiring safety belts to be installed in motorcoaches at each designated seating position.

(b) Regulations required within 2 years.—Not later than 2 years after the date of enactment of this Act, the Secretary shall prescribe the following commercial motor vehicle regulations:

(1) Roof strength and crush resistance.—The Secretary shall establish improved roof and roof support standards for motorcoaches that substantially improve the resistance of motorcoach roofs to deformation and intrusion to prevent serious occupant injury in rollover crashes involving motorcoaches.

(2) Anti-ejection safety countermeasures.—The Secretary shall require advanced glazing to be installed in each motorcoach portal and
shall consider other portal improvements to prevent partial and complete ejection of motorcoach passengers, including children. In prescribing such standards, the Secretary shall consider the impact of such standards on the use of motorcoach portals as a means of emergency egress.

(3) ROLLOVER CRASH AVOIDANCE.—The Secretary shall require motorcoaches to be equipped with stability enhancing technology, such as electronic stability control and torque vectoring, to reduce the number and frequency of rollover crashes among motorcoaches.

(c) COMMERCIAL MOTOR VEHICLE TIRE PRESSURE MONITORING SYSTEMS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall prescribe the following commercial vehicle regulation:

(1) IN GENERAL.—The Secretary shall require motorcoaches to be equipped with direct tire pressure monitoring systems that warn the operator of a commercial motor vehicle when any tire exhibits a level of air pressure that is below a specified level of air pressure established by the Secretary.

(2) PERFORMANCE REQUIREMENTS.—The regulation prescribed by the Secretary under this subsection shall include performance requirements to
ensure that direct tire pressure monitoring systems
are capable of—

(A) providing a warning to the driver when
1 or more tires are underinflated;

(B) activating in a specified time period
after the underinflation is detected; and

(C) operating at different vehicle speeds.

(d) APPLICATION OF REGULATIONS.—

(1) NEW MOTORCOACHES.—Any regulation pre-
scribed in accordance with subsection (a), (b), or (c)
shall apply to all motorcoaches manufactured more
than 2 years after the date on which the regulation
is published as a final rule.

(2) RETROFIT REQUIREMENTS FOR EXISTING
MOTORCOACHES.—

(A) IN GENERAL.—The Secretary may, by
regulation, provide for the application of any re-

quirement established under subsection (a) or
(b)(2) to motorcoaches manufactured before the
date on which the requirement applies to new
motorcoaches under paragraph (1) based on an
assessment of the feasibility, benefits, and costs
of retrofitting the older motorcoaches.

(B) ASSESSMENT.—The Secretary shall
complete an assessment with respect to safety
belt retrofits not later than 1 year after the
date of enactment of this Act and with respect
to anti-ejection countermeasure retrofits not
later than 2 years after the date of enactment
of this Act.

(e) Failure to Meet Deadline.—If the Secretary
determines that a final rule cannot be issued before the
deadline established under this section, the Secretary
shall—

(1) submit a report to the Committee on Com-
merce, Science, and Transportation of the Senate
and the Committee on Energy and Commerce of the
House of Representatives that explains why the
deadline cannot be met; and

(2) establish a new deadline for the issuance of
the final rule.

SEC. 6323. STANDARDS FOR IMPROVED FIRE SAFETY.

(a) Evaluations.—Not later than 18 months after
the date of enactment of this Act, the Secretary shall ini-
tiate the following rulemaking proceedings:

(1) Flammability Standard for Exterior
Components.—The Secretary shall establish re-
quirements for fire hardening or fire resistance of
motorcoach exterior components to prevent fire and
smoke inhalation injuries to occupants.
(2) **Smoke suppression.**—The Secretary shall update Federal Motor Vehicle Safety Standard Number 302 (49 C.F.R. 571.302; relating to flammability of interior materials) to improve the resistance of motorcoach interiors and components to burning and permit sufficient time for the safe evacuation of passengers from motorcoaches.

(3) **Prevention of, and resistance to, wheel well fires.**—The Secretary shall establish requirements—

(A) to prevent and mitigate the propagation of wheel well fires into the passenger compartment; and

(B) to substantially reduce occupant deaths and injuries from such fires.

(4) **Automatic fire suppression.**—The Secretary shall establish requirements for motorcoaches to be equipped with highly effective fire suppression systems that automatically respond to and suppress all fires in such motorcoaches.

(5) **Passenger evacuation.**—The Secretary shall establish requirements for motorcoaches to be equipped with—

(A) improved emergency exit window, door, roof hatch, and wheelchair lift door designs to
expedite access and use by passengers of motorcoaches under all emergency circumstances, including crashes and fires; and

(B) emergency interior lighting systems, including luminescent or retroreflectorized delineation of evacuation paths and exits, which are triggered by a crash or other emergency incident to accomplish more rapid and effective evacuation of passengers.

(6) CAUSATION AND PREVENTION OF MOTORCOACH FIRES.—The Secretary shall examine the principal causes of motorcoach fires and vehicle design changes intended to reduce the number of motorcoach fires resulting from those principal causes.

(b) DEADLINE.—Not later than 42 months after the date of enactment of this Act, the Secretary shall—

(1) issue final rules in accordance with subsection (a); or

(2) if the Secretary determines that any standard is not warranted based on the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, submit a report that describes the reasons for not prescribing such a standard to—
(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(c) TIRE PERFORMANCE STANDARD.—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(1) issue a final rule upgrading performance standards for tires used on motorcoaches, including an enhanced endurance test and a new high-speed performance test; or

(2) if the Secretary determines that a standard is not warranted based on the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, submit a report that describes the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.
SEC. 6324. OCCUPANT PROTECTION, COLLISION AVOIDANCE, FIRE CAUSATION, AND FIRE EXTINGUISHER RESEARCH AND TESTING.

(a) SAFETY RESEARCH INITIATIVES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete the following research and testing:

(1) IMPROVED FIRE EXTINGUISHERS.—The Secretary shall research and test the need to install improved fire extinguishers or other readily available firefighting equipment in motorcoaches to effectively extinguish fires in motorcoaches and prevent passenger deaths and injuries.

(2) INTERIOR IMPACT PROTECTION.—The Secretary shall research and test enhanced occupant impact protection standards for motorcoach interiors to reduce substantially serious injuries for all passengers of motorcoaches.

(3) COMPARTMENTALIZATION SAFETY COUNTERMEASURES.—The Secretary shall require enhanced compartmentalization safety countermeasures for motorcoaches, including enhanced seating designs, to substantially reduce the risk of passengers being thrown from their seats and colliding with other passengers, interior surfaces, and components in the event of a crash involving a motorcoach.
(4) COLLISION AVOIDANCE SYSTEMS.—The Secretary shall research and test forward and lateral crash warning systems applications for motorcoaches.

(b) RULEMAKING.—Not later than 2 years after the completion of each research and testing initiative required under subsection (a), the Secretary shall issue final motor vehicle safety standards if the Secretary determines that such standards are warranted based on the requirements and considerations set forth in section subsections (a) and (b) of section 30111 of title 49, United States Code.

SEC. 6325. MOTORCOACH REGISTRATION.

(a) REGISTRATION REQUIREMENTS.—Section 13902(b) is amended—

(1) by redesignating paragraphs (1) through (8) as paragraphs (4) through (11), respectively;

and

(2) by inserting before paragraph (4), as redesignated, the following:

“(1) ADDITIONAL REGISTRATION REQUIREMENTS FOR PROVIDERS OR MOTORCOACH SERVICES.—In addition to meeting the requirements under subsection (a)(1), the Secretary may not register a person to provide motorcoach services until after the person—
“(A) undergoes a preauthorization safety audit, including verification, in a manner sufficient to demonstrate the ability to comply with Federal rules and regulations, of—

“(i) a drug and alcohol testing program under part 40 of title 49, Code of Federal Regulations;

“(ii) the carrier’s system of compliance with hours-of-service rules, including hours-of-service records;

“(iii) the ability to obtain required insurance;

“(iv) driver qualifications, including the validity of the commercial driver’s license of each driver who will be operating under such authority;

“(v) disclosure of common ownership, common control, common management, common familial relationship, or other corporate relationship with another motor carrier or applicant for motor carrier authority during the past 3 years;

“(vi) records of the State inspections, or of a Level I or V Commercial Vehicle
Safety Alliance Inspection, for all vehicles that will be operated by the carrier;

“(vii) safety management programs, including vehicle maintenance and repair programs; and

“(viii) the ability to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the Over-the-Road Bus Transportation Accessibility Act of 2007 (122 Stat. 2915);

“(B) has been interviewed to review safety management controls and the carrier’s written safety oversight policies and practices; and

“(C) through the successful completion of a written examination developed by the Secretary, has demonstrated proficiency to comply with and carry out the requirements and regulations described in subsection (a)(1).

“(2) Pre-authorization Safety Audit.—The pre-authorization safety audit required under paragraph (1)(A) shall be completed on-site not later than 90 days following the submission of an application for operating authority.

“(3) Fee.—The Secretary may establish, under section 9701 of title 31, a fee of not more than
$1,200 for new registrants that as nearly as possible
covers the costs of performing a preauthorization
safety audit. Amounts collected under this sub-
section shall be deposited in the Highway Trust
Fund (other than the Mass Transit Account).”.

(b) CONFORMING AMENDMENT.—Section
24305(a)(3)(A)(i) is amended by striking “section
13902(b)(8)(A)” and inserting “section
13902(b)(11)(A)”.

(c) EFFECTIVE DATE.—The amendments made by
this section shall take effect 1 year after the date of enact-
ment of this Act.

SEC. 6326. IMPROVED OVERSIGHT OF MOTORCOACH SERV-
ICE PROVIDERS.

Section 31144 is further amended by adding at the
end the following:

“(i) PERIODIC SAFETY REVIEWS OF PROVIDERS OF
MOTORCOACH SERVICES.—

“(1) SAFETY REVIEW.—

“(A) IN GENERAL.—The Secretary shall—

“(i) determine the safety fitness of all
providers of motorcoach services registered
with the Federal Motor Carrier Safety Ad-
ministration; and
“(ii) assign a safety fitness rating to each such provider.

“(B) APPLICABILITY.—Subparagraph (A) shall apply—

“(i) to any provider of motorcoach services registered with the Administration after the date of enactment of the Motor Carrier Safety, Efficiency, and Accountability Act of 2012 beginning not later than 2 years after the date of such registration; and

“(ii) to any provider of motorcoach services registered with the Administration on or before the date of enactment of that Act beginning not later than 3 years after the date of enactment of that Act.

“(2) PERIODIC REVIEW.—The Secretary shall establish, by regulation, a process for monitoring the safety performance of each provider of motorcoach services on a regular basis following the assignment of a safety fitness rating, including progressive intervention to correct unsafe practices.

“(3) ENFORCEMENT STRIKE FORCES.—In addition to the enhanced monitoring and enforcement actions required under paragraph (2), the Secretary
may organize special enforcement strike forces tar-
geting providers of motorcoach services.

“(4) Periodic update of safety fitness
rating.—In conducting the safety reviews required
under this subsection, the Secretary shall reassess
the safety fitness rating of each provider not less
frequently than once every 3 years.

“(5) Motorcoach services defined.—In
this subsection, the term ‘provider of motorcoach
services’ has the meaning given such term in section
6321 of the Motor Carrier Safety, Efficiency, and
Accountability Act of 2012.”.

SEC. 6327. REPORT ON FEASIBILITY, BENEFITS, AND COSTS
OF ESTABLISHING A SYSTEM OF CERTIFI-
CATION OF TRAINING PROGRAMS.

Not later than 2 years after the date of the enact-
ment of this Act, the Secretary shall submit a report to
the Committee on Commerce, Science, and Transportation
of the Senate and the Committee on Transportation and
Infrastructure of the House of Representatives that de-
scribes the feasibility, benefits, and costs of establishing
a system of certification of public and private schools and
of motor carriers and motorcoach operators that provide
motorcoach driver training.
SEC. 6328. REPORT ON DRIVER'S LICENSE REQUIREMENTS
FOR 9- TO 15-PASSENGER VANS.

(a) In General.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines requiring all or certain classes of drivers operating a vehicle, which is designed or used to transport not fewer than 9 and not more than 15 passengers (including a driver) in interstate commerce, to have a commercial driver’s license passenger-carrying endorsement and be tested in accordance with a drug and alcohol testing program under part 40 of title 49, Code of Federal Regulations.

(b) Considerations.—In developing the report under subsection (a), the Secretary shall consider—

(1) the safety benefits of the requirement described in subsection (a);

(2) the scope of the population that would be impacted by such requirement;

(3) the cost to the Federal Government and State governments to meet such requirement; and

(4) the impact on safety benefits and cost from limiting the application of such requirement to cer-
tain drivers of such vehicles, such as drivers who are compensated for driving.

SEC. 6329. EVENT DATA RECORDERS.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Secretary, after considering the performance requirements for event data recorders for passenger vehicles under part 563 of title 49, Code of Federal Regulations, shall complete an evaluation of event data recorders, including requirements regarding specific types of vehicle operations, events and incidents, and systems information to be recorded, for event data recorders to be used on motorcoaches used by motor carriers in interstate commerce.

(b) STANDARDS AND REGULATIONS.—Not later than 2 years after completing the evaluation required under subsection (a), the Secretary shall issue standards and regulations based on the results of that evaluation.

SEC. 6330. SAFETY INSPECTION PROGRAM FOR COMMERCIAL MOTOR VEHICLES OF PASSENGERS.

Not later than 3 years after the date of enactment of this Act, the Secretary shall complete a rulemaking proceeding to consider requiring States to conduct annual inspections of commercial motor vehicles designed or used to transport passengers, including an assessment of—
(1) the risks associated with improperly maintained or inspected commercial motor vehicles designed or used to transport passengers;

(2) the effectiveness of existing Federal standards for the inspection of such vehicles in—

(A) mitigating the risks described in paragraph (1); and

(B) ensuring the safe and proper operation condition of such vehicles; and

(3) the costs and benefits of a mandatory State inspection program.

SEC. 6331. DISTRACTED DRIVING.

(a) IN GENERAL.—Subchapter III of chapter 311 is further amended by adding at the end the following:

“§31152. Regulation of the use of distracting devices in motorcoaches

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Motor Carrier Safety, Efficiency, and Accountability Act of 2012, the Secretary of Transportation shall prescribe regulations on the use of electronic or wireless devices, including cell phones and other distracting devices, by an individual employed as the operator of a motorcoach (as defined in section 6321 of that Act).
“(b) BASIS FOR REGULATIONS.—The Secretary shall base the regulations prescribed under subsection (a) on accident data analysis, the results of ongoing research, and other information, as appropriate.

“(c) PROHIBITED USE.—Except as provided under subsection (d), the Secretary shall prohibit the use of the devices described in subsection (a) in circumstances in which the Secretary determines that their use interferes with a driver’s safe operation of a motorcoach.

“(d) PERMITTED USE.—The Secretary may permit the use of a device that is otherwise prohibited under subsection (c) if the Secretary determines that such use is necessary for the safety of the driver or the public in emergency circumstances.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 311 is amended by inserting after the item relating to section 31151 the following:

“31152. Regulation of the use of distracting devices in motorcoaches.”.

SEC. 6332. REGULATIONS.

Any standard or regulation prescribed or modified pursuant to part 2 of subtitle C of the Motor Carrier Safety, Efficiency, and Accountability Act of 2012 shall be prescribed or modified in accordance with section 553 of title 5, United States Code.