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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DEFAZIO (for himself, Ms. NORTON, and Mr. LIPINSKI) introduced the following bill; which was referred to the Committee on

A BILL

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Investing in a New Vision for the Environment and Sur-
6 face Transportation in America Act” or the “INVEST in
7 America Act”.

1 (c) DEFINITIONS.—In this section:

2 (1) AUTOMATIC EMERGENCY BRAKING SYS-
3 TEM.—The term “automatic emergency braking sys-
4 tem” means a crash avoidance system installed and
5 operational in a vehicle that consists of—

6 (A) a forward collision warning function—

7 (i) to detect vehicles and objects
8 ahead of the vehicle; and

9 (ii) to alert the operator of the vehicle
10 of an impending collision; and

11 (B) a crash-imminent braking function to
12 provide automatic braking when forward-look-
13 ing sensors of the vehicle indicate that—

14 (i) a crash is imminent; and

15 (ii) the operator of the vehicle is not
16 applying the brakes.

17 (2) COMMERCIAL MOTOR VEHICLE.—The term
18 “commercial motor vehicle” has the meaning given
19 such term in section 31101 of title 49, United
20 States Code.

21 **SEC. 4405. UNDERRIDE PROTECTION.**

22 (a) REAR UNDERRIDE GUARDS.—

23 (1) REAR GUARDS ON TRAILERS AND SEMI-
24 TRAILERS.—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of enactment of this Act, the Sec-
3 retary of Transportation shall issue such regu-
4 lations as are necessary to revise motor vehicle
5 safety standards under sections 571.223 and
6 571.224 of title 49, Code of Federal Regula-
7 tions, to require trailers and semi-trailers man-
8 ufactured after the date on which such regula-
9 tion is issued to be equipped with rear impact
10 guards that are designed to prevent passenger
11 compartment intrusion from a trailer or semi-
12 trailer when a passenger vehicle traveling at 35
13 miles per hour makes—

14 (i) an impact in which the passenger
15 vehicle impacts the center of the rear of
16 the trailer or semi-trailer;

17 (ii) an impact in which 50 percent the
18 width of the passenger vehicle overlaps the
19 rear of the trailer or semi-trailer; and

20 (iii) an impact in which 30 percent of
21 the width of the passenger vehicle overlaps
22 the rear of the trailer or semi-trailer.

23 (B) EFFECTIVE DATE.—The rule issued
24 under subparagraph (A) shall require full com-
25 pliance with the motor carrier safety standard

1 prescribed in such rule not later than 2 years
2 after the date on which a final rule is issued.

3 (2) ADDITIONAL RESEARCH.—The Secretary
4 shall conduct additional research on the design and
5 development of rear impact guards that can prevent
6 underride crashes and protect motor vehicle pas-
7 sengers against severe injury at crash speeds of up
8 to 65 miles per hour.

9 (3) REVIEW OF STANDARDS.—Not later than 5
10 years after any revisions to standards or require-
11 ments related to rear impact guards pursuant to
12 paragraph (1), the Secretary shall review the stand-
13 ards or requirements to evaluate the need for
14 changes in response to advancements in technology
15 and upgrade such standards accordingly.

16 (4) INSPECTIONS.—

17 (A) IN GENERAL.—Not later than 1 year
18 after the date of enactment of this Act, the Sec-
19 retary shall issue such regulations as are nec-
20 essary to amend the regulations on minimum
21 periodic inspection standards under appendix G
22 to subchapter B of chapter III of title 49, Code
23 of Federal Regulations, and driver vehicle in-
24 spection reports under section 396.11 of title
25 49, Code of Federal Regulations, to include

1 rear impact guards and rear end protection (as
2 required by section 393.86 of title 49, Code of
3 Federal Regulations).

4 (B) CONSIDERATIONS.—In updating the
5 regulations described in subparagraph (A), the
6 Secretary shall consider it to be a defect or a
7 deficiency if a rear impact guard is missing or
8 has a corroded or compromised element that af-
9 fects the structural integrity and protective fea-
10 ture of such guard.

11 (b) SIDE UNDERRIDE GUARDS.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this Act, the Secretary
14 shall—

15 (A) complete additional research on side
16 underride guards to better understand the over-
17 all effectiveness of such guards;

18 (B) assess the feasibility, benefits, and
19 costs associated with installing side underride
20 guards on newly-manufactured trailers and
21 semitrailers with a gross vehicle weight rating
22 of 10,000 pounds or more; and

23 (C) if warranted, develop performance
24 standards for such guards.

1 (2) INDEPENDENT RESEARCH.—If the Sec-
2 retary enters into a contract with a third party to
3 perform the research required under paragraph
4 (1)(A), the Secretary shall ensure that such third
5 party does not have any financial or contractual ties
6 or relationship with a motor carrier that transports
7 passengers or property for compensation, the motor
8 carrier industry, or an entity producing or supplying
9 underride guards.

10 (3) PUBLICATION OF ASSESSMENT.—Not later
11 than 90 days after completing the assessment re-
12 quired under paragraph (1)(B), the Secretary shall
13 issue a notice in the Federal Register containing the
14 findings of the assessment and provide an oppor-
15 tunity for public comment.

16 (4) REPORT TO CONGRESS.—After the conclu-
17 sion of the public comment period under paragraph
18 (3), the Secretary shall submit to the Committee on
19 Transportation and Infrastructure of the House of
20 Representatives and the Committee on Commerce,
21 Science, and Transportation of the Senate a report
22 that provides—

23 (A) the results of the assessment under
24 this subsection;

1 (B) a summary of the public comments re-
2 ceived by the Secretary under paragraph (3);
3 and

4 (C) a determination as to whether the Sec-
5 retary intends to develop performance require-
6 ments for side underride guards, including any
7 analysis that led to such determination.

8 (c) ADVISORY COMMITTEE ON UNDERRIDE PROTEC-
9 TION.—

10 (1) ESTABLISHMENT.—The Secretary of Trans-
11 portation shall establish an Advisory Committee on
12 Underride Protection (in this subsection referred to
13 as the “Committee”) to provide advice and rec-
14 ommendations to the Secretary on safety regulations
15 to reduce crashes and fatalities involving truck
16 underrides.

17 (2) REPRESENTATION.—

18 (A) IN GENERAL.—The Committee shall be
19 composed of not more than 20 members ap-
20 pointed by the Secretary who are not employees
21 of the Department of Transportation and who
22 are qualified to serve because of their expertise,
23 training, or experience.

24 (B) MEMBERSHIP.—Members shall include
25 2 representatives of each of the following:

- 1 (i) Truck and trailer manufacturers.
- 2 (ii) Motor carriers, including inde-
- 3 pendent owner-operators.
- 4 (iii) Law enforcement.
- 5 (iv) Motor vehicle engineers.
- 6 (v) Motor vehicle crash investigators.
- 7 (vi) Truck safety organizations.
- 8 (vii) The insurance industry.
- 9 (viii) Emergency medical service pro-
- 10 viders.
- 11 (ix) Families of underride crash vic-
- 12 tims.
- 13 (x) Labor organizations.

14 (3) COMPENSATION.—Members of the Com-
15 mittee shall serve without compensation.

16 (4) MEETINGS.—The Committee shall meet at
17 least annually.

18 (5) SUPPORT.—On request of the Committee,
19 the Secretary shall provide information, administra-
20 tive services, and supplies necessary for the Com-
21 mittee to carry out the duties described in para-
22 graph (1).

23 (6) REPORT.—The Committee shall submit to
24 the Committee on Transportation and Infrastructure
25 of the House of Representatives and the Committee

1 on Commerce, Science, and Transportation of the
2 Senate a biennial report that shall—

3 (A) describe the advice and recommenda-
4 tions made to the Secretary; and

5 (B) include an assessment of progress
6 made by the Secretary in advancing safety reg-
7 ulations.

8 (d) DATA COLLECTION.—Not later than 1 year after
9 the date of enactment of this Act, the Secretary shall im-
10 plement recommendations 1 and 2 described in the report
11 by the Government Accountability Office published on
12 March 14, 2019, titled “Truck Underride Guards: Im-
13 proved Data Collection, Inspections, and Research Need-
14 ed” (GAO–19–264).

15 **SEC. 4406. TRANSPORTATION OF HORSES.**

16 Section 80502 of title 49, United States Code, is
17 amended—

18 (1) in subsection (c), by striking “This section
19 does not” and inserting “Subsections (a) and (b)
20 shall not”;

21 (2) by redesignating subsection (d) as sub-
22 section (e);

23 (3) by inserting after subsection (c) the fol-
24 lowing:

25 “(d) TRANSPORTATION OF HORSES.—