

117TH CONGRESS
1ST SESSION

S. 659

To require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2021

Mr. YOUNG (for himself, Mr. TESTER, Mr. MORAN, Mr. MANCHIN, Mr. INHOFE, Mr. KING, Mr. COTTON, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, 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.**

4 This Act may be cited as the “Developing Respon-
5 sible Individuals for a Vibrant Economy Act” or the
6 “DRIVE Safe Act”.

1 **SEC. 2. APPRENTICESHIP PROGRAM FOR COMMERCIAL**
2 **DRIVERS UNDER THE AGE OF 21.**

3 (a) DEFINITIONS.—In this section:

4 (1) APPRENTICE.—The term “apprentice”
5 means an employee under the age of 21 who holds
6 a commercial driver’s license required to operate a
7 class of vehicles described in part 383 of title 49,
8 Code of Federal Regulations (as in effect on the
9 date of enactment of this Act).

10 (2) COMMERCIAL DRIVER’S LICENSE.—The
11 term “commercial driver’s license” has the meaning
12 given the term in section 31301 of title 49, United
13 States Code.

14 (3) COMMERCIAL MOTOR VEHICLE.—The term
15 “commercial motor vehicle” means a commercial
16 motor vehicle that meets the definition under para-
17 graph (1) or (4) of the definition of the term “com-
18 mercial motor vehicle” contained in section 390.5 of
19 title 49, Code of Federal Regulations (as in effect on
20 the date of enactment of this Act).

21 (4) DRIVING TIME.—The term “driving time”
22 has the meaning given the term in section 395.2 of
23 title 49, Code of Federal Regulations (as in effect on
24 the date of enactment of this Act).

1 (5) EMPLOYEE.—The term “employee” has the
2 meaning given the term in section 31132 of title 49,
3 United States Code.

4 (6) EMPLOYER.—The term “employer” has the
5 meaning given the term in section 31132 of title 49,
6 United States Code.

7 (7) EXPERIENCED DRIVER.—The term “experi-
8 enced driver” means an individual who—

9 (A) is not younger than 21 years of age;

10 (B) has a minimum of 2 years of experi-
11 ence driving a commercial motor vehicle in
12 interstate commerce; and

13 (C) as of the date on which the individual
14 serves as an experienced driver for purposes of
15 subsection (c)(3)(B)—

16 (i) has held a commercial driver’s li-
17 cense for each of the 2 preceding calendar
18 years; and

19 (ii) for the preceding calendar year,
20 has had no—

21 (I) preventable accidents report-
22 able to the Department of Transpor-
23 tation; or

24 (II) pointed moving violations.

1 (8) ON-DUTY TIME.—The term “on-duty time”
2 has the meaning given the term in section 395.2 of
3 title 49, Code of Federal Regulations (as in effect on
4 the date of enactment of this Act).

5 (9) POINTED MOVING VIOLATION.—The term
6 “pointed moving violation” means a violation that
7 results in points being added to the license of a driv-
8 er, or a similar comparable violation, as determined
9 by the Secretary.

10 (10) SECRETARY.—The term “Secretary”
11 means the Secretary of Transportation.

12 (b) APPRENTICES.—An apprentice may—

13 (1) drive a commercial motor vehicle in inter-
14 state commerce while participating in the 120-hour
15 probationary period under subsection (c)(1) or the
16 280-hour probationary period under subsection
17 (c)(2), pursuant to an apprenticeship program estab-
18 lished by an employer in accordance with this sec-
19 tion; and

20 (2) drive a commercial motor vehicle in inter-
21 state commerce after the apprentice completes an
22 apprenticeship program described in subsection (c).

23 (c) APPRENTICESHIP PROGRAM.—An apprenticeship
24 program referred to in subsection (b) is a program that
25 consists of the following requirements:

1 (1) 120-HOUR PROBATIONARY PERIOD.—

2 (A) IN GENERAL.—An apprentice shall
3 complete 120 hours of on-duty time, of which
4 not fewer than 80 hours shall be driving time
5 in a commercial motor vehicle.

6 (B) PERFORMANCE BENCHMARKS.—To
7 complete the 120-hour probationary period
8 under subparagraph (A), the employer of an ap-
9 prentice shall determine that the apprentice is
10 competent in each of the following areas:

11 (i) Interstate, city traffic, rural 2-
12 lane, and evening driving.

13 (ii) Safety awareness.

14 (iii) Speed and space management.

15 (iv) Lane control.

16 (v) Mirror scanning.

17 (vi) Right and left turns.

18 (vii) Logging and complying with
19 rules relating to hours of service.

20 (2) 280-HOUR PROBATIONARY PERIOD.—

21 (A) IN GENERAL.—After completing the
22 120-hour probationary period under paragraph
23 (1), an apprentice shall complete 280 hours of
24 on-duty time, of which not fewer than 160

1 hours shall be driving time in a commercial
2 motor vehicle.

3 (B) PERFORMANCE BENCHMARKS.—To
4 complete the 280-hour probationary period
5 under subparagraph (A), the employer of an ap-
6 prentice shall determine that the apprentice is
7 competent in each of the following areas:

8 (i) Backing and maneuvering in close
9 quarters.

10 (ii) Pretrip inspections.

11 (iii) Fueling procedures.

12 (iv) Weighing loads, weight distribu-
13 tion, and sliding tandems.

14 (v) Coupling and uncoupling proce-
15 dures.

16 (vi) Trip planning, truck routes, map
17 reading, navigation, and permits.

18 (3) RESTRICTIONS.—During each probationary
19 period under paragraphs (1) and (2)—

20 (A) an apprentice may only drive a com-
21 mercial motor vehicle that has—

22 (i) an automatic manual or automatic
23 transmission;

24 (ii) an active braking collision mitiga-
25 tion system;

1 (iii) forward-facing video event cap-
 2 ture; and

3 (iv) a governed speed of 65 miles per
 4 hour—

5 (I) at the pedal; and

6 (II) under adaptive cruise con-
 7 trol; and

8 (B) an apprentice shall be accompanied in
 9 the cab of the commercial motor vehicle by an
 10 experienced driver.

11 (4) RECORDS RETENTION.—An employer shall
 12 maintain records, in a manner required by the Sec-
 13 retary, relating to the satisfaction of the perform-
 14 ance benchmarks described in paragraphs (1)(B)
 15 and (2)(B) by each apprentice of the employer.

16 (5) REPORTABLE INCIDENTS.—If an apprentice
 17 is involved in a preventable accident reportable to
 18 the Department of Transportation or a pointed mov-
 19 ing violation while driving a commercial motor vehi-
 20 cle as part of an apprenticeship program described
 21 in this subsection, the apprentice shall undergo re-
 22 mediation and additional training until the appren-
 23 tice can demonstrate, to the satisfaction of the em-
 24 ployer, competence in each of the performance

1 benchmarks described in paragraphs (1)(B) and
2 (2)(B).

3 (6) COMPLETION OF PROGRAM.—An apprentice
4 shall be considered to have completed an apprentice-
5 ship program on the date on which the apprentice
6 completes the 280-hour probationary period under
7 paragraph (2).

8 (7) MINIMUM REQUIREMENTS.—

9 (A) IN GENERAL.—Nothing in this section
10 prevents an employer from imposing any addi-
11 tional requirement on an apprentice partici-
12 pating in an apprenticeship program under this
13 section.

14 (B) TECHNOLOGIES.—Nothing in this sec-
15 tion prevents an employer from requiring or in-
16 stallng a technology in a commercial motor ve-
17 hicle in addition to the technologies described in
18 paragraph (3)(A).

19 (d) REGULATIONS.—Not later than 1 year after the
20 date of enactment of this Act, the Secretary shall promul-
21 gate regulations to implement this section.

22 (e) NO EFFECT ON LICENSE REQUIREMENT.—Noth-
23 ing in this section exempts an apprentice from any re-
24 quirement to hold a commercial driver's license in order
25 to operate a commercial motor vehicle.

1 (f) EMPLOYER RESPONSIBILITY.—An employer shall
2 not knowingly allow, require, permit, or authorize a driver
3 under the age of 21 to operate a commercial motor vehicle
4 in interstate commerce, unless the driver is participating
5 in, or has completed, an apprenticeship program that
6 meets the requirements of subsection (c).

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