

Calendar No. 341

119TH CONGRESS }
2d Session }

SENATE

{ REPORT
119-112 }

HOUSEHOLD GOODS SHIPPING CONSUMER
PROTECTION ACT

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 337



FEBRUARY 23, 2026.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

69-010

WASHINGTON : 2026

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

SECOND SESSION

TED CRUZ, Texas, *Chairman*

JOHN THUNE, South Dakota	MARIA CANTWELL, Washington
ROGER F. WICKER, Mississippi	AMY KLOBUCHAR, Minnesota
DEB FISCHER, Nebraska	BRIAN SCHATZ, Hawaii
JERRY MORAN, Kansas	EDWARD J. MARKEY, Massachusetts
DAN SULLIVAN, Alaska	GARY C. PETERS, Michigan
MARSHA BLACKBURN, Tennessee	TAMMY BALDWIN, Wisconsin
TODD YOUNG, Indiana	TAMMY DUCKWORTH, Illinois
TED BUDD, North Carolina	JACKY ROSEN, Nevada
ERIC SCHMITT, Missouri	BEN RAY LUJAN, New Mexico
JOHN CURTIS, Utah	JOHN W. HICKENLOOPER, Colorado
BERNIE MORENO, Ohio	JOHN FETTERMAN, Pennsylvania
TIM SHEEHY, Montana	ANDY KIM, New Jersey
SHELLEY MOORE CAPITO, West Virginia	LISA BLUNT ROCHESTER, Delaware
CYNTHIA M. LUMMIS, Wyoming	

BRAD GRANTZ, *Majority Staff Director*

LILA HARPER HELMS, *Democratic Staff Director*

Calendar No. 341

119TH CONGRESS }
2d Session }

SENATE

{ REPORT
119–112

HOUSEHOLD GOODS SHIPPING CONSUMER PROTECTION ACT

FEBRUARY 23, 2026.—Ordered to be printed

Mr. CRUZ, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 337]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 337) a bill to amend title 49, United States Code, to clarify the authority of the Administrator of the Federal Motor Carrier Safety Administration relating to the shipping of household goods, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 337, the Household Goods Shipping Consumer Protection Act, is to clarify the Federal Motor Carrier Safety Administration's (FMCSA) authority relating to the shipping of household goods, and provide the enforcement tools for ensuring compliance with Federal commercial regulations.

BACKGROUND AND NEEDS

Cargo theft encompasses both straight theft, when thieves physically steal cargo, and cargo fraud or strategic theft, when thieves use fraud to trick shippers, brokers, and carriers into handing loads over to thieves instead of the legitimate shipper or carrier.¹ According to voluntarily submitted data published and analyzed by

¹“Cargo Theft,” Federal Bureau of Investigation, <https://www.fbi.gov/investigate/transnational-organized-crime/cargo-theft>.

CargoNet, a private information-sharing service supporting the insurance industry, cargo theft has increased year over year since 2021, with cases reported to CargoNet increasing 59 percent between 2022 and 2023² and 27 percent between 2023 and 2024.³ Cargo theft and fraud is estimated to cost the industry \$15–\$35 billion annually,⁴ or roughly \$402,000 annually per company in the industry,⁵ which can force independent and smaller companies out of business.⁶ However, because there is no standard reporting system for cargo theft across the country, the true scale may be underreported, and existing estimates of its scale and impact vary widely.⁷

FMCSA is responsible for ensuring that all truck and motorcoach companies and drivers comply with the Federal Motor Carrier Safety Regulations. FMCSA also registers and regulates freight brokers and forwarders. In 2019, an administrative law judge ruled that FMCSA does not have the statutory authority to independently impose civil penalties for violations of regulations of motor carriers, brokers, and freight forwarders.⁸ Instead, FMCSA must refer its cases to the Department of Justice (DOJ) and go through the United States District Courts to pursue civil penalties.

In a July 2024 report to Congress, FMCSA said that, without statutory authority to administratively impose civil penalties for violations of its commercial regulations, its enforcement capabilities are significantly limited.⁹ The report further emphasized that having to refer cases to DOJ complicates and hinders FMCSA’s ability to enforce these regulations effectively. FMCSA says that compromised motor carrier numbers and inauthentic agreements enable fraudulent and/or poorly performing carriers to continue operating, which keeps unsafe and unlicensed drivers on the road.¹⁰ This fraudulent activity harms the reputation of a motor carrier whose identity was stolen (e.g., leading to possible blemishes on the carrier’s safety record), and it misleads brokers, shippers, and independent owner-operators, who are exposed to risks like operating without proper insurance, authority, or registration. Additionally, it undermines safety data collection efforts. By restoring FMCSA’s civil penalty authority for commercial regulations, S. 337 would give FMCSA the tools it needs to address freight fraud.

²“2023 Supply Chain Risk Trends Analysis,” Verisk’s CargoNet, <https://www.cargonet.com/news-and-events/cargonet-in-the-media/2023-theft-trends/>.

³“2024 Supply Chain Risk Trends Analysis,” Verisk’s CargoNet, <https://www.cargonet.com/news-and-events/cargonet-in-the-media/2024-theft-trends/>.

⁴“Operation Boiling Point,” U.S. Immigration and Customs Enforcement, <https://www.ice.gov/about-ice/hsi/news/hsi-insider/op-boiling-point>.

⁵Transportation Intermediaries Association, *State of Fraud in the Industry 2024 Report*, <https://news.tianet.org/wp-content/uploads/sites/3/2024/10/Fraud-Report-Feb-Aug-2024.pdf>.

⁶Prepared statement of Lewie Pugh, submitted to the U.S. Senate Committee on Commerce, Science and Transportation, for hearing on “Grand Theft Cargo: Examining a Costly Threat to Consumers to the U.S. Supply Chain,” 119th Congress, February 27, 2025, <https://www.commerce.senate.gov/services/files/61C8DC4A-CE8B-447C-A59C-9B2AAD713F03>.

⁷“Cargo Theft, 2019,” Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/additional-data-collections/cargo-theft>.

⁸Department of Transportation, *Unlawful Brokerage Activities Report to Congress*, July 2024, <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2024-07/Unlawful%20Brokerage%20Activities%20Report%20to%20Congress%20Final%20July%202024.pdf>.

⁹Ibid.

¹⁰Department of Transportation, Federal Motor Carrier Safety Administration, *Safety Advisory: Fraud, U.S. Based Motor Carriers Identity Theft, Fraudulent Lease Agreements, Stolen Carrier Identity Through Issuance of Temporary Registrations, and Fraudulent Certificates of Insurance*, CVSA, <https://www.cvsa.org/wp-content/uploads/FMCSA-Safety-Advisory-Fraud-Identity-Theft-Alert.pdf>.

SUMMARY OF PROVISIONS

S. 337 would do the following:

- Authorize FMCSA to impose civil penalties for violations of motor carrier, broker, and freight forwarder statutes and motor carrier safety and operational statutes.
- Allow States to use Motor Carrier Safety Assistance Program (MCSAP) and High Priority (HP) Program funding to enforce Federal household goods transportation laws and regulations.
- Allow States to retain the fines and penalties they collect from motor carriers or brokers for violating transportation regulations.
- Require that companies maintain a legitimate, verifiable physical location to legally operate.
- Require brokers and freight forwarders to disclose any common ownership, management, control, or familial ties with another carrier, freight forwarder, broker, or applicant within the past 3 years.
- Give FMCSA the authority to revoke or suspend registrations if an entity fails to designate a valid principal place of business.

LEGISLATIVE HISTORY

S. 337 was introduced on January 30, 2025, by Senator Fischer (for herself and Senator Duckworth) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. On May 21, 2025, the Committee met in open Executive Session and, by voice vote, ordered S. 337 reported favorably without amendment.

H.R. 880, an identical House bill, was introduced on January 31, 2025, by Delegate Holmes Norton (for herself and Representatives Ezell, Brownley, Carter, Hill, Garamendi, Cuellar, Scholten, and Burchett) and was referred to the Committee on Transportation and Infrastructure of the House of Representatives. There are 16 additional cosponsors.

118th Congress

H.R. 8505, the Household Goods Shipping Consumer Protection Act, was introduced on May 22, 2024, by Delegate Holmes Norton (for herself and Representative Ezell) and was referred to the Committee on Transportation and Infrastructure of the House of Representatives. On September 18, 2024, that Committee met in open Executive Session and, by a vote of 62–2, ordered H.R. 8505 reported favorably with an amendment (in the nature of a substitute). There were 23 additional cosponsors.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

S. 337, Household Goods Shipping Consumer Protection Act			
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on May 21, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
		Contains intergovernmental mandate?	No
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

S. 337 would allow the Federal Motor Carrier Safety Administration to assess civil penalties on entities that transport household goods across state lines for violations of certain registration requirements. The bill also would allow states to use federal grants to enforce compliance and retain collected fines.

CBO estimates that enacting S. 337 could increase revenues because civil penalties are recorded in the budget as revenues. Because the number of entities affected is likely to be small, CBO estimates that the increase in revenues would be less than \$500,000 over the 2025–2035 period.

In addition, CBO expects that the administrative costs for the agency to implement S. 337 would be insignificant; any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Zunara Naeem. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 337, as reported, would primarily affect motor carriers, brokers, and freight forwarders involved in the interstate movement of freight. It would also apply to FMCSA and State agencies that assist with enforcement. The bill is not expected to affect private individuals or businesses outside the motor carrier, broker, or freight forwarder industries.

ECONOMIC IMPACT

S. 337, as reported, is not expected to have an adverse economic impact. Giving FMCSA the authority to issue civil penalties and authorizing State agencies to retain penalties for addressing freight fraud and theft should reduce instances of such fraud and theft. Any compliance costs incurred by motor carriers, brokers, or freight forwarders are expected to be minimal and justified by enhanced consumer trust and accountability.

PRIVACY

S. 337, as reported, would not have an adverse impact on the personal privacy of individuals.

PAPERWORK

S. 337, as reported, would not increase paperwork requirements for private individuals or businesses outside of the motor carrier, broker, or freight forwarder industries. It would require FMCSA to develop new guidance or rules related to the maintenance of verifiable physical business addresses and the disclosure of any common ownership, management, control, or familial relationships with other entities within the past 3 years. These requirements may increase internal documentation and reporting by motor carriers, brokers, and freight forwarders.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section would provide that the bill may be cited as the “Household Goods Shipping Consumer Protection Act”.

Section 2. Administrative assessment of civil penalties for violations of commercial regulations.

This section would grant FMCSA the authority to administratively assess civil penalties for violations of commercial regulations if, after notice and an opportunity for a hearing, the Secretary finds that a person violated a provision, regulation, or order.

Section 3. State use of grant funds for commercial enforcement and consumer protection.

This section would allow States to use MCSAP and HP funds to enforce Federal household goods transportation laws and regulations, if the State has adopted laws or regulations that are compatible with Federal household goods regulations.

Section 4. State retention of penalties and fines.

This section would allow States to retain the fines and penalties they collect from motor carriers or brokers for violating transportation regulations.

Section 5. Registration requirements.

This section would define the terms “principal place of business” and “specified entity”. It would require that motor carriers, brokers, and freight forwarders maintain a legitimate, verifiable physical location to legally operate. It would require brokers and freight forwarders to disclose any common ownership, management, control, or familial ties with another carrier, freight forwarder, broker, or applicant within the past 3 years. Lastly, this section would give FMCSA the authority to revoke or suspend registrations if an entity fails to comply with these requirements.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

* * * * *

TITLE 49—TRANSPORTATION

* * * * *

Subtitle I—Department of Transportation

* * * * *

CHAPTER 5—SPECIAL AUTHORITY

* * * * *

Subchapter I—Powers

§ 501. Definitions and application

(a) In this chapter—

(1) the definitions in sections 10102 and 13102 of this title apply.

(2) “migrant worker” has the same meaning given that term in section 31501 of this title.

(3) “motor carrier of migrant workers” means a motor carrier of migrant workers subject to the jurisdiction of the Secretary of Transportation under section 31502(c) of this title.

(b) APPLICATION.—This chapter only applies in carrying out sections 20302(a)(1)(B) and (C), (2), and (3), (c), and (d)(1) and 20303

and chapters 5, 205 (except section 20504(b)), 211, 213 (in carrying out those sections and chapters), 311, 313, and 315 of this title.

* * * * *

Subtitle IV—Interstate Transportation

* * * * *

PART B—MOTOR CARRIERS, WATER CARRIERS, BROKERS, AND FREIGHT FORWARDERS

* * * * *

CHAPTER 131—GENERAL PROVISIONS

* * * * *

§ 13102. Definitions

In this part, the following definitions shall apply:

(1) * * *

* * * * *

(27) * * *

(28) *PRINCIPAL PLACE OF BUSINESS.*—The term “principal place of business” means a single physical business location of a specified entity where—

(A) management officials of such specified entity report to work;

(B) such specified entity conducts a significant portion of its business relating to the transportation of persons or property; and

(C) such specified entity maintains records required by part B of subtitle IV or part B of subtitle VI.

(29) *SPECIFIED ENTITY.*—The term “specified entity” means—

(A) an employer, as such term is defined in section 31132;

(B) a person;

(C) a motor carrier, including a foreign motor carrier or foreign motor private carrier;

(D) a broker; or

(E) a freight forwarder.

* * * * *

CHAPTER 139—REGISTRATION

* * * * *

§ 13902. Registration of motor carriers

(a) MOTOR CARRIER GENERALLY.—

(1) IN GENERAL.—Except as otherwise provided in this section, the Secretary of Transportation shall register a person to provide transportation subject to jurisdiction under subchapter I of chapter 135 as a motor carrier using self-propelled vehicles

the motor carrier owns, rents, or leases only if the Secretary determines that the person—

(A) is willing and able to comply with—

(i) this part and the applicable regulations of the Secretary and the Board;

(ii) any safety regulations imposed by the Secretary;

(iii) the duties of employers and employees established by the Secretary under section 31135;

(iv) the safety fitness requirements established by the Secretary under section 31144;

(v) the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations (or successor regulations), for transportation provided by an over-the-road bus; and

(vi) the minimum financial responsibility requirements established by the Secretary under sections 13906, 31138, and 31139;

(B) has been issued a USDOT number under section 31134;

(C) has disclosed any relationship involving common ownership, common management, common control, or common familial relationship between that person and any other motor carrier, freight forwarder, or broker, or any other applicant for motor carrier, freight forwarder, or broker registration, if the relationship occurred in the 3-year period preceding the date of the filing of the application for registration; **[and]**

(D) after the Secretary establishes a written proficiency examination pursuant to section 32101(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012, has passed the written proficiency examination**[.]**; *and*

(E) has designated a principal place of business.

(2) * * *

(3) * * *

(4) * * *

(5) * * *

(6) * * *

(b) * * *

(c) * * *

(d) * * *

(e) * * *

(f) * * *

(g) * * *

(h) * * *

(i) * * *

(j) * * *

§ 13903. Registration of freight forwarders

(a) **IN GENERAL.**—The Secretary shall register a person to provide service subject to jurisdiction under subchapter III of chapter 135 as a freight forwarder if the Secretary determines that the person—

(1) has sufficient experience to qualify the person to act as a freight forwarder; **[and]**

(2) is fit, willing, and able to provide the service and to comply with this part and applicable regulations of the Secretary~~...~~;

(3) *has designated a principal place of business; and*

(4) *has disclosed any relationship involving common ownership, common management, common control, or common familial relationship between such person and any other motor carrier, freight forwarder, broker, or any other applicant for motor carrier, freight forwarder, or broker registration, if the relationship occurred in the 3-year period preceding the date of the filing of the application for registration.*

(b) * * *

(c) * * *

(d) * * *

(e) * * *

§ 13904. Registration of brokers

(a) IN GENERAL.—The Secretary shall register, subject to section 13906(b), a person to be a broker for transportation of property subject to jurisdiction under subchapter I of chapter 135, if the Secretary determines that the person—

(1) has sufficient experience to qualify the person to act as a broker for transportation; ~~and~~

(2) is fit, willing, and able to be a broker for transportation and to comply with this part and applicable regulations of the Secretary~~...~~;

(3) *has designated a principal place of business; and*

(4) *has disclosed any relationship involving common ownership, common management, common control, or common familial relationship between such person and any other motor carrier, freight forwarder, or broker, or any other applicant for motor carrier, freight forwarder, or broker registration, if the relationship occurred in the 3-year period preceding the date of the filing of the application for registration.*

(b) * * *

(c) * * *

(d) * * *

(e) * * *

(f) * * *

(g) * * *

§ 13905. Effective periods of registration

(a) * * *

(b) * * *

(c) * * *

(d) SUSPENSION, AMENDMENTS, AND REVOCATIONS.—

(1) APPLICATIONS.—On application of the registrant, the Secretary may amend or revoke a registration.

(2) COMPLAINTS AND ACTIONS ON SECRETARY'S OWN INITIATIVE.—On complaint or on the Secretary's own initiative and after notice and an opportunity for a proceeding, the Secretary may—

(A) suspend, amend, or revoke any part of the registration of a motor carrier, foreign motor carrier, foreign motor

private carrier, broker, or freight forwarder for willful failure to comply with—

(i) this part;

(ii) an applicable regulation or order of the Secretary or the Board, including the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations (or successor regulations), for transportation provided by an over-the-road bus; or

(iii) a condition of its registration;

(B) withhold, suspend, amend, or revoke any part of the registration of a motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder for failure—

(i) to pay a civil penalty imposed under chapter 5, 51, 149, or 311;

(ii) to arrange and abide by an acceptable payment plan for such civil penalty, not later than 90 days after the date specified by order of the Secretary for the payment of such penalty; or

(iii) for failure 1 to obey a subpoena issued by the Secretary;

(C) withhold, suspend, amend, or revoke any part of a registration of a motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder following a determination by the Secretary that the motor carrier, broker, or freight forwarder failed to disclose, in its application for registration, a material fact relevant to its willingness and ability to comply with—

(i) this part;

(ii) an applicable regulation or order of the Secretary or the Board; or

(iii) a condition of its registration; [or]

(D) withhold, suspend, amend, or revoke any part of a registration of a motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder if the Secretary finds that the motor carrier, broker, or freight forwarder does not disclose any relationship through common ownership, common management, common control, or common familial relationship to any other motor carrier, broker, or freight forwarder, or any other applicant for motor carrier, broker, or freight forwarder registration that the Secretary determines is or was unwilling or unable to comply with the relevant requirements listed in section 13902, 13903, or 13904[.]; or

(E) withhold, suspend, amend, or revoke any part of a registration of a motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder if the Secretary finds that the motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder failed to designate a valid principal place of business.

(3) LIMITATION.—Paragraph (2)(B) shall not apply to a person who is unable to pay a civil penalty because the person is a debtor in a case under chapter 11 of title 11.

(4) REGULATIONS.—Not later than 12 months after the date of the enactment of this paragraph, the Secretary, after notice and opportunity for public comment, shall issue regulations to provide for the suspension, amendment, or revocation of a registration under this part for failure to pay a civil penalty as provided in paragraph (2)(B).

(e) * * *

(f) * * *

(g) * * *

* * * * *

CHAPTER 147—ENFORCEMENT; INVESTIGATIONS; RIGHTS; REMEDIES

* * * * *

§ 14711. Enforcement by State attorneys general

(a) * * *

(b) * * *

(c) * * *

(d) * * *

(e) * * *

(f) * * *

(g) *PENALTIES.*—Notwithstanding any other provision of law, any fine or penalty imposed on a carrier or broker in a proceeding under this section shall be paid to, and retained by, the State that imposed such fine or penalty.

* * * * *

CHAPTER 149—CIVIL AND CRIMINAL PENALTIES

* * * * *

§ 14914. Civil penalty procedures

(a) *IN GENERAL.*—After notice and an opportunity for a hearing, a person found by the Surface Transportation Board to have violated a provision of law that the Board carries out or a regulation prescribed under that law by the Board that is related to transportation which occurs under subchapter II of chapter 135 for which a civil penalty is provided, is liable to the United States for the civil penalty provided. The amount of the civil penalty shall be assessed by the Board by written notice. In determining the amount of the penalty, the Board shall consider the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and other matters that justice requires.

(b) *ENFORCEMENT BY SECRETARY.*—If, after notice and an opportunity for a hearing, the Secretary finds that a person violated a provision of part B of subtitle IV of this title, or a regulation or order issued pursuant to such part, the Secretary shall assess a civil penalty by written notice.

[(b)](c) *COMPROMISE.*—The Board or the Secretary may compromise, modify, or remit, with or without consideration, a civil penalty until the assessment is referred to the Attorney General.

[(c)](d) COLLECTION.—If a person fails to pay an assessment of a civil penalty after it has become final, the Board *or the Secretary* may refer the matter to the Attorney General for collection in an appropriate district court of the United States.

[(d)](e) REFUNDS.—The Board may refund or remit a civil penalty collected under this section if—

(1) application has been made for refund or remission of the penalty within 1 year from the date of payment; and

(2) the Board finds that the penalty was unlawfully, improperly, or excessively imposed.

* * * * *

Subtitle VI—Motor Vehicle and Driver Programs

* * * * *

PART B—COMMERCIAL

* * * * *

CHAPTER 311—COMMERCIAL MOTOR VEHICLE SAFETY

* * * * *

Subchapter I—General Authority and State Grants

* * * * *

§ 31102. Motor carrier safety assistance program

(a) * * *

(b) * * *

(c) * * *

(d) * * *

(e) * * *

(f) * * *

(g) * * *

(h) **USE OF GRANTS TO ENFORCE OTHER LAWS.**—When approved as part of a State’s plan under subsection (c), the State may use motor carrier safety assistance program funds received under this section—

(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed-weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant,

including the operator, of the commercial motor vehicle;
[and]

(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2014 and 2015; and

(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety[.]; and

(3) *for the enforcement of Federal household goods statutes and regulations for the interstate transportation of household goods by household goods motor carriers and brokers, and for the intrastate transportation of household goods by household goods motor carriers if the State has adopted laws or regulations that are compatible with Federal household goods regulations.*

(i) * * *

(j) * * *

(k) * * *

(1) HIGH PRIORITY PROGRAM.—

(1) IN GENERAL.—The Secretary shall administer a high priority program funded under section 31104(a)(2) for the purposes described in paragraphs (2) through (5).

(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The Secretary may make discretionary grants to and enter into cooperative agreements with States, local governments, federally recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

(A) increase public awareness and education on commercial motor vehicle safety;

(B) target unsafe driving of commercial motor vehicles and noncommercial motor vehicles in areas identified as high risk crash corridors;

(C) improve the safe and secure movement of hazardous materials;

(D) improve safe transportation of goods and persons in foreign commerce;

(E) demonstrate new technologies to improve commercial motor vehicle safety;

(F) support participation in performance and registration information systems management under section 31106(b)—

(i) for entities not responsible for submitting the plan under subsection (c); or

(ii) for entities responsible for submitting the plan under subsection (c)—

(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

(G) conduct safety data improvement projects—

(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c);

(H) support, through the use of funds otherwise available for such purposes—

(i) the recognition, prevention, and reporting of human trafficking, including the trafficking of human beings—

(I) in a commercial motor vehicle; or

(II) by any occupant, including the operator, of a commercial motor vehicle;

(ii) the detection of criminal activity or any other violation of law relating to human trafficking; and

(iii) enforcement of laws relating to human trafficking;

(I) otherwise support the recognition, prevention, and reporting of human trafficking; **[and]**

(J) enforce Federal household goods statutes and regulations for the interstate transportation of household goods by household goods motor carriers and brokers, and for the intrastate transportation of household goods by household goods motor carriers if the State has adopted laws or regulations that are compatible with Federal household goods regulations; and

[(J)](K) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

(3) * * *

(4) * * *

(5) * * *

(m) *STATE DISCRETION.—The activities described in subsections (h)(3) and (l)(2)(J) are—*

(1) optional at the discretion of a State; and

(2) not a condition on funds received under this section.

* * * * *

Subchapter III—Safety Regulation

* * * * *

§ 31134. Requirement for registration and USDOT number

(a) * * *

(b) WITHHOLDING REGISTRATION.—The Secretary shall register an employer or person under subsection (a) only if the Secretary determines that—

(1) the employer or person seeking registration is willing and able to comply with the requirements of this subchapter and the regulations prescribed thereunder and chapter 51 and the regulations prescribed thereunder;

(2)(A) 1 during the 3-year period before the date of the filing of the application, the employer or person is not or was not related through common ownership, common management, common control, or common familial relationship to any other person or applicant for registration subject to this subchapter who, during such 3-year period, is or was unfit, unwilling, or unable to comply with the requirements listed in subsection (b)(1);
【or】

(3) the employer or person has disclosed to the Secretary any relationship involving common ownership, common management, common control, or common familial relationship to any other person or applicant for registration subject to this subchapter**【.】**; or

(4) *the employer or person seeking registration has designated a principal place of business, as defined in section 13102.*

(c) REVOCATION OR SUSPENSION OF REGISTRATION.—The Secretary shall revoke the registration of an employer or person issued under subsection (a) after notice and an opportunity for a proceeding, or suspend the registration after giving notice of the suspension to the employer or person, if the Secretary determines that—

(1) the employer's or person's authority to operate pursuant to chapter 139 of this title is subject to revocation or suspension under sections 13905(d)(1) or 13905(f) of this title;

(2) the employer or person has knowingly failed to comply with the requirements listed in **【subsection (b)(1)】** *subsection (b)*;

(3) the employer or person has not disclosed any relationship through common ownership, common management, common control, or common familial relationship to any other person or applicant for registration subject to this subchapter that the Secretary determines is or was unfit, unwilling, or unable to comply with the requirements listed in subsection (b)(1);

(4) the employer or person refused to submit to the safety review required by section 31144(g) of this title.

(d) * * *

(e) * * *

* * * * *