

105TH CONGRESS
2D SESSION

S. 2042

To provide for a program to improve commercial motor vehicle safety in the vicinity of the borders between the United States and Canada and the United States and Mexico.

IN THE SENATE OF THE UNITED STATES

MAY 7, 1998

Mr. FAIRCLOTH introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide for a program to improve commercial motor vehicle safety in the vicinity of the borders between the United States and Canada and the United States and Mexico.

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 “Safe Highways Act of
5 1998”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) BORDER STATE.—The term “border State”
2 means a State that has a boundary with a common
3 border between Canada or Mexico.

4 (2) DEPARTMENT.—The term “Department”
5 means the Department of Transportation.

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of Transportation.

8 **SEC. 3. BORDER SAFETY IMPROVEMENT PROGRAM.**

9 (a) PROGRAM.—The Secretary shall carry out a pro-
10 gram to improve commercial motor vehicle safety in the
11 vicinity of borders between the United States and Canada
12 and the United States and Mexico.

13 (b) GRANT AND OTHER AUTHORITY.—The Secretary
14 may expend funds made available to carry out this sec-
15 tion—

16 (1) for making grants to border States, local
17 governments, organizations, and other persons to
18 carry out activities described in subsection (c);

19 (2) to provide for personnel in the Department
20 to conduct the activities referred to in paragraph
21 (1); and

22 (3) to enter into contracts for conducting the
23 activities referred to in paragraph (1).

24 (c) USE OF FUNDS.—The activities for which funds
25 may be expended under this section shall include—

1 (1) the employment by the Department or a
2 border State of additional personnel to enforce com-
3 mercial motor vehicle safety laws;

4 (2) the training of personnel to enforce the laws
5 referred to in paragraph (1);

6 (3) the development of databases and commu-
7 nication systems to improve commercial motor vehi-
8 cle safety; and

9 (4) education and outreach initiatives.

10 (d) CRITERIA.—In selecting activities and projects
11 for funding under this section, the Secretary shall con-
12 sider—

13 (1) current levels of enforcement by border
14 States at the time of the selection;

15 (2) cross-border traffic patterns (including the
16 volume of commercial motor vehicle traffic);

17 (3) the location of inspection facilities; and

18 (4) any other factor that the Secretary deter-
19 mines could result in the greatest safety improve-
20 ment and benefit to border States and the United
21 States.

22 (e) FEDERAL SHARE.—

23 (1) IN GENERAL.—The Federal share payable
24 under a grant made under this section for—

1 (A) any activity described in paragraph
 2 (2), (3), or (4) of subsection (c) shall be 80 per-
 3 cent; and

4 (B) any activity described in subsection
 5 (c)(1) shall be—

6 (i) 80 percent for the first 2 years
 7 that a State receives a grant under this
 8 section for that activity;

9 (ii) 50 percent for the third and
 10 fourth years that a State receives a grant
 11 under this section for that activity; and

12 (iii) 25 percent for the fifth and sixth
 13 years that a State receives a grant under
 14 this section for that activity.

15 (2) IN-KIND CONTRIBUTIONS.—In determining
 16 the non-Federal costs under paragraph (1), the Sec-
 17 retary shall include in-kind contributions made by
 18 the grant recipient.

19 (f) MAINTENANCE OF EFFORT.—

20 (1) IN GENERAL.—A grant may not be made to
 21 a State under this section for an activity described
 22 in subsection (c)(1) for any fiscal year unless the
 23 State enters into such agreements with the Sec-
 24 retary as the Secretary may require to ensure that
 25 the State will maintain the expenditures described in

1 paragraph (2), at the level specified in paragraph
2 (3), from all sources of funding other than a grant
3 under this section.

4 (2) EXPENDITURES.—The expenditures re-
5 ferred to in paragraph (1) are the aggregate expend-
6 itures for employment of personnel to enforce com-
7 mercial motor vehicle safety regulations in the vicin-
8 ity of the border between the United States and
9 Canada or Mexico.

10 (3) LEVEL.—The level specified in this para-
11 graph, with respect to the expenditures described in
12 paragraph (2), is a level greater than or equal to the
13 average level of those expenditures for the 2 fiscal
14 years of the State preceding the date of enactment
15 of this Act.

16 (g) FUNDING.—There are authorized to be appro-
17 priated to the Department of Transportation to carry out
18 this section, \$20,000,000 for each of fiscal years 1999
19 through 2003.

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