

107TH CONGRESS  
1ST SESSION

# S. 1557

To amend title 49, United States Code, to prohibit the operation of motor vehicles transporting hazardous material by persons not subjected to a background investigation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2001

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

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## A BILL

To amend title 49, United States Code, to prohibit the operation of motor vehicles transporting hazardous material by persons not subjected to a background investigation, 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. BACKGROUND INVESTIGATIONS OF PERSONS**  
4                       **TRANSPORTING HAZARDOUS MATERIAL IN**  
5                       **COMMERCE.**

6       (a) PROHIBITION.—

1           (1) IN GENERAL.—Chapter 51 of title 49,  
 2           United States Code, is amended by inserting after  
 3           section 5106 the following new section:

4   **“§ 5106a. Background investigation of drivers of**  
 5                 **motor vehicles transporting hazardous**  
 6                 **material in commerce**

7           “(a) PROHIBITION.—No person operating as a motor  
 8           carrier may permit a person to operate for the motor car-  
 9           rier a motor vehicle transporting hazardous material in  
 10          commerce unless a background investigation of that per-  
 11          son has been completed in accordance with regulations  
 12          prescribed under subsection (b).

13          “(b) REGULATIONS.—

14                 “(1) REQUIREMENT FOR REGULATIONS.—

15                         “(A) IN GENERAL.—The Secretary of  
 16                         Transportation shall prescribe regulations to  
 17                         enforce subsection (a).

18                         “(B) CONSULTATION REQUIREMENT.—The  
 19                         Secretary shall consult with the Attorney Gen-  
 20                         eral in prescribing the regulations.

21                 “(2) INVESTIGATION PROCEDURES.—The regu-  
 22                 lations shall set forth the procedures for a back-  
 23                 ground investigation, together with the content of  
 24                 the investigation.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
 2           tions at the beginning of such chapter is amended  
 3           by inserting after the item relating to section 5106  
 4           the following new item:

“5106a. Background investigation of drivers of motor vehicles transporting haz-  
 arduous material in commerce.”.

5           (b) REGULATIONS.—

6           (1) TIME FOR ISSUANCE.—The Secretary of  
 7           Transportation shall issue the final regulations  
 8           under section 5106a of title 49, United States Code  
 9           (as added by subsection (a)), not later than 180  
 10          days after the date of the enactment of this Act.

11          (2) SENSE OF CONGRESS REGARDING CONTENT  
 12          OF REGULATIONS.—It is the sense of Congress that  
 13          the regulations should provide for an investigation  
 14          under section 5106a of title 49, United States Code  
 15          (as added by subsection (a)), to include the fol-  
 16          lowing:

17                (A) Submittal of fingerprints and photo-  
 18                graphs.

19                (B) Review and comparison of law enforce-  
 20                ment databases, intelligence databases, and  
 21                criminal records.

22                (C) Review of Immigration and Naturaliza-  
 23                tion Service records.

1       (c) EFFECTIVE DATE.—Section 5103a of title 49,  
2 United States Code (as added by subsection (a)), shall  
3 take effect 180 days after the date of the enactment of  
4 this Act.

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