

107TH CONGRESS
1ST SESSION

S. 965

To impose limitations on the approval of applications by certain motor carriers domiciled in Mexico until certain conditions are met.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2001

Mr. DORGAN (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To impose limitations on the approval of applications by certain motor carriers domiciled in Mexico until certain conditions are met.

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. LIMITATIONS ON APPROVAL OF APPLICATIONS**

4 **BY MEXICAN MOTOR CARRIERS.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, the Secretary of Transportation may not ap-
7 prove under section 13902 of title 49, United States Code,
8 an application to transport cargo in foreign commerce
9 across the United States-Mexico border made by a motor

1 carrier that is domiciled in Mexico until 30 days after the
2 date that the certification described in subsection (b) is
3 submitted to Congress.

4 (b) CERTIFICATION DESCRIBED.—The certification
5 described in this subsection means a written statement
6 submitted to Congress by the President certifying that—

7 (1) the application described in subsection (a)
8 of any motor carrier, driver, enterprise, or broker
9 domiciled in Mexico shall not be approved unless
10 that carrier, driver, enterprise, or broker affirma-
11 tively demonstrates awareness of, and compliance
12 with, requirements of the United States relating to
13 drivers and motor carriers including safety, environ-
14 mental, weight, insurance, and hazardous materials
15 requirements of the United States;

16 (2) a full-time enforcement program with re-
17 spect to the requirements described in paragraph (1)
18 is in place, including the ability to enforce those re-
19 quirements at the United States-Mexico border and
20 in each State;

21 (3) the enforcement program described in para-
22 graph (2), at a minimum, fully implements the rec-
23 ommendations described in the Interim Report on
24 Status of Implementing the North American Free
25 Trade Agreement's Cross-Border Trucking Provi-

1 sions, issued on May 5, 2001, by the Office of the
2 Inspector General, Department of Transportation;

3 (4) an on-going program of monitoring and
4 evaluation with respect to the requirements de-
5 scribed in paragraph (1) is in place; and

6 (5) the individual or cumulative impact of the
7 approval of any application described in subsection
8 (a) shall not endanger the health, safety, and wel-
9 fare of United States citizens.

10 (c) LIMITATION.—The provisions of subsections (a)
11 and (b) shall not apply to an application with respect to
12 operations by a motor carrier domiciled in Mexico to pro-
13 vide service solely in a commercial zone along the United
14 States-Mexico border, as such zones are described in sec-
15 tion 13902(c)(4)(A) of title 49, United States Code.

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