

110TH CONGRESS
1ST SESSION

H. R. 3098

To amend title 49, United States Code, to provide certain exemptions to drivers of intrastate commercial motor vehicles engaged in agricultural purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2007

Mr. BOREN (for himself, Mr. ADERHOLT, and Ms. FALLIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to provide certain exemptions to drivers of intrastate commercial motor vehicles engaged in agricultural 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. EXEMPTIONS FOR CERTAIN COMMERCIAL**
4 **MOTOR VEHICLE DRIVERS.**

5 Section 31102 of title 49, United States Code, is
6 amended by adding at the end the following:

7 “(f) EXEMPTIONS FOR CERTAIN COMMERCIAL
8 MOTOR VEHICLE DRIVERS.—The Secretary of Transpor-
9 tation shall not require a State that receives a grant under

1 this section to require drivers of intrastate commercial ve-
 2 hicles engaged in agricultural-related purposes to comply
 3 with the following provisions of title 49, Code of Federal
 4 Regulation—

5 “(1) parts 380, 383, and 390;

6 “(2) paragraphs (1), (6), or (8) of section
 7 391.11(b) of part 391;

8 “(3) subparts C, D, E (excluding section
 9 391.41 which shall apply to a driver), and F of part
 10 391;

11 “(4) part 395; and

12 “(5) sections 396.11, 396.13, and 396.15, and
 13 paragraphs (b) and (c) of section 396.3 of part
 14 396.”.

15 **SEC. 2. MOTOR VEHICLE WEIGHT CHANGES.**

16 Strike section 31301(4) of title 49, United States
 17 Code, is amended to read as follows:

18 “(4) ‘commercial motor vehicle’ means a motor
 19 vehicle used in commerce to transport passengers or
 20 property that—

21 “(A) has a gross vehicle weight rating or
 22 gross vehicle weight of at least 26,001 pounds;

23 “(B) is designed to transport at least 16
 24 passengers, including the driver; or

“(C) is used to transport material found by the secretary to be hazardous under section 5103, except that a vehicle shall not be included as a commercial motor vehicle under this subparagraph if—

“(i) the vehicle is transporting material listed as hazardous under section 306(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9656(a)) and is not otherwise regulated by the Secretary or is transporting a consumer commodity or limited quantity of hazardous material as defined in section 171.8 of title 49, Code of Federal Regulations; and

“(ii) the Secretary does not deny the application of this exception to the vehicle (individually or as part of a class of motor vehicles) in the interest of safety.”.

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