

111TH CONGRESS
2D SESSION

H. R. 5967

To amend title 49, United States Code, to provide certain port authorities,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mr. NADLER of New York (for himself, Ms. EDWARDS of Maryland, Ms. CHU, Ms. LEE of California, Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Mr. CONNOLLY of Virginia, Ms. LINDA T. SÁNCHEZ of California, Mr. ACKERMAN, Ms. ZOE LOFGREN of California, Mr. FILNER, Mr. GRIJALVA, Mr. STARK, Ms. MOORE of Wisconsin, Mr. HARE, Ms. HARMAN, Mr. FARR, Mr. ROTHMAN of New Jersey, Mrs. MALONEY, Mr. SERRANO, Mr. SIRES, Mr. HOLT, Ms. WOOLSEY, Mr. SHERMAN, Mrs. NAPOLITANO, Ms. KILROY, Mr. HONDA, Mr. RAHALL, Mr. CAPUANO, Mrs. CAPPS, Mr. GARAMENDI, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Mr. HASTINGS of Florida, Mr. ANDREWS, Ms. SUTTON, Mr. WEINER, Ms. CLARKE, Mr. PASCRELL, Ms. VELÁZQUEZ, Mr. DOYLE, Mr. BERMAN, Ms. LORETTA SANCHEZ of California, Mr. BISHOP of New York, Mr. BACA, Mr. SCHIFF, Mr. TOWNS, Mr. PAYNE, Mr. ELLISON, Ms. MATSUI, Mr. BLUMENAUER, Mr. ENGEL, Mr. HALL of New York, Mr. MEEKS of New York, Mr. FRANK of Massachusetts, Mr. LIPINSKI, Mr. ISRAEL, and Ms. SPEIER) 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
port authorities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Clean Ports Act of
3 2010”.

4 **SEC. 2. APPLICABILITY TO PORT FACILITIES.**

5 Section 14501(c) is amended—

6 (1) in paragraph (2)(A)—

7 (A) by striking “or” after “cargo,”; and

8 (B) by inserting before the semicolon the
9 following: “, or the authority of a State, polit-
10 ical subdivision of a State, or political authority
11 of 2 or more States to adopt requirements for
12 motor carriers and commercial motor vehicles
13 providing services at port facilities that are rea-
14 sonably related to the reduction of environ-
15 mental pollution, traffic congestion, the im-
16 provement of highway safety, or the efficient
17 utilization of port facilities, if such require-
18 ments are in accordance with any other applica-
19 ble Federal law or regulation”; and

20 (2) by adding at the end the following:

21 “(6) CLARIFICATION FOR PARAGRAPH (2).—

22 “(A) DEFINITION OF PORT FACILITIES.—

23 For purposes of paragraph (2)(A), the term
24 ‘port facilities’ means all port facilities for
25 coastwise, intercoastal, inland waterways, and
26 Great Lakes shipping and overseas shipping, in-

cluding, wharves, piers, sheds, warehouses, terminals, yards, docks, control towers, container equipment, maintenance buildings, container freight stations and port equipment, including harbor craft, cranes, and straddle carriers.

“(B) APPLICABILITY OF CLEAN AIR ACT.—

Nothing in paragraph (2)(A) shall limit the authority reserved to any State or a political subdivision thereof under the Clean Air Act (42 U.S.C. 7401 et. seq).”.

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