

114TH CONGRESS
1ST SESSION

H. R. 3739

To provide for qualified physicians to perform a medical certification for an operator of a commercial motor vehicle who is a veteran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 2015

Mr. WOODALL (for himself, Mr. WALZ, Mr. RIBBLE, Mr. DAVID SCOTT of Georgia, Mr. MASSIE, Ms. BROWNLEY of California, Mr. WESTMORELAND, Mr. CRAWFORD, Mr. DENHAM, Mr. HANNA, Mr. MEADOWS, and Mr. FARENTHOLD) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To provide for qualified physicians to perform a medical certification for an operator of a commercial motor vehicle who is a veteran, 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. SHORT TITLE.**

4 This Act may be cited as the “Veterans’ Expanded
5 Trucking Opportunities Act”.

1 **SEC. 2. MEDICAL CERTIFICATE FOR VETERANS OPERATING**
2 **COMMERCIAL MOTOR VEHICLES.**

3 (a) IN GENERAL.—In the case of a physician-ap-
4 proved veteran operator, the qualified physician of such
5 operator may, subject to the requirements of subsection
6 (b), perform a medical examination and provide a medical
7 certificate for purposes of compliance with the require-
8 ments of section 31149 of title 49, United States Code.

9 (b) CERTIFICATION.—The certification described
10 under subsection (a) shall include—

11 (1) assurances that the physician performing
12 the medical examination meets the requirements of
13 a qualified physician under this section; and

14 (2) certification that the physical condition of
15 the operator is adequate to enable such operator to
16 operate a commercial motor vehicle safely.

17 (c) DEFINITIONS.—In this section, the following defi-
18 nitions apply:

19 (1) PHYSICIAN-APPROVED VETERAN OPER-
20 ATOR.—The term “physician-approved veteran oper-
21 ator” means an operator of a commercial motor ve-
22 hicle who—

23 (A) is a veteran who is enrolled in the
24 health care system established under section
25 1705(a) of title 38, United States Code;

1 (B) is required to have a current valid
2 medical certificate pursuant to section 31149 of
3 title 49, United States Code; and

4 (C) had a valid medical certificate provided
5 by the qualified physician of such operator prior
6 to May 21, 2014.

7 (2) QUALIFIED PHYSICIAN.—The term “quali-
8 fied physician” means a physician who—

9 (A) is employed in the Department of Vet-
10 erans Affairs;

11 (B) is familiar with the standards for, and
12 physical requirements of, an operator certified
13 pursuant to section 31149 of title 49, United
14 States Code; and

15 (C) has never, with respect such section,
16 been found to have acted fraudulently, including
17 by fraudulently awarding a medical certificate.

18 (3) VETERAN.—The term “veteran” has the
19 meaning given the term in section 101 of title 38,
20 United States Code.

21 (d) STATUTORY CONSTRUCTION.—Nothing in this
22 Act shall be construed to change any statutory penalty as-
23 sociated with fraud or abuse.

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