

115TH CONGRESS
2D SESSION

H. R. 5358

To direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2018

Mr. HUNTER (for himself, Mr. HOLLINGSWORTH, Mr. JONES, Mr. GROTHMAN, and Mr. SENSENBRENNER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, 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 “Developing Respon-
5 sible Individuals for a Vibrant Economy Act” or the
6 “DRIVE-Safe Act”.

1 **SEC. 2. APPRENTICESHIP PROGRAM FOR COMMERCIAL**
2 **DRIVERS UNDER THE AGE OF 21.**

3 (a) IN GENERAL.—For purposes of this section, the
4 term “apprentice” means an individual under the age of
5 21 who holds a commercial driver’s license.

6 (b) APPRENTICE.—An apprentice—

7 (1) may drive a commercial motor vehicle in
8 interstate commerce while taking part in the 120-
9 hour probationary period (as described in subsection
10 (c)(1)) and the 280-hour probationary period (as de-
11 scribed in subsection (c)(2)), pursuant to an appren-
12 ticeship program established by an employer that
13 complies with the requirements of this section; and
14 (2) may drive a commercial motor vehicle in
15 interstate commerce once such apprentice completes
16 such an apprenticeship program.

17 (c) FORM OF APPRENTICESHIP PROGRAM.—For pur-
18 poses of this section, the term “apprenticeship program”
19 means one that is defined and structured as follows:

20 (1) 120-HOUR PROBATIONARY PERIOD.—

21 (A) IN GENERAL.—The apprentice shall
22 complete 120 hours of on-duty time, of which at
23 least 80 hours are driving time in a commercial
24 motor vehicle.

25 (B) PERFORMANCE BENCHMARKS.—In
26 order to complete the 120-hour probationary

period, an employer shall determine that the apprentice is competent in the following areas:

(i) Interstate, light city traffic, rural two-lane, and evening driving.

(ii) Safety awareness.

(iii) Speed and space management.

(iv) Lane control.

(v) Mirror scanning.

(vi) Right and left turns.

(vii) Logging and complying with rules concerning hours of service.

(2) 280-HOUR PROBATIONARY PERIOD.—

(A) IN GENERAL.—After completion of the requirements of paragraph (1), the apprentice shall complete 280 hours of on-duty time, of which at least 160 hours are driving time in a commercial motor vehicle.

(B) PERFORMANCE BENCHMARKS.—In order to complete the 280-hour probationary period, an employer shall determine that the apprentice is competent in the following areas:

(i) Backing and maneuvering in close quarters.

(ii) Pre-trip inspections.

(iii) Fueling procedures.

1 (iv) Weighing loads, weight distribu-
2 tion, and sliding tandems.

3 (v) Coupling and uncoupling proce-
4 dures.

5 (vi) Trip planning, truck routes, map
6 reading, navigation, and permits.

7 (vii) Transporting hazardous mate-
8 rials, if properly endorsed.

9 (3) RESTRICTIONS FOR FIRST PERIOD.—During
10 the driving time described in paragraph (1), the ap-
11 prentice may not operate a commercial motor vehicle
12 on which hazardous materials placards are placed.

13 (4) RESTRICTIONS FOR BOTH PERIODS.—Dur-
14 ing the driving time described in paragraphs (1) and
15 (2)—

16 (A) the apprentice may only drive a com-
17 mercial motor vehicle that has—

18 (i) automatic manual or automatic
19 transmissions;

20 (ii) active braking collision mitigation
21 systems;

22 (iii) forward-facing video event cap-
23 ture; and

1 (iv) governed speeds of 65 miles per
2 hour at the pedal and 65 miles per hour
3 under adaptive cruise control; and

4 (B) the apprentice shall be accompanied in
5 the cab of the commercial motor vehicle by an
6 experienced driver.

7 (5) RECORDS RETENTION.—The employer shall
8 maintain records, in a manner required by the Sec-
9 retary of Transportation, concerning an apprentice's
10 satisfaction of the requirements of paragraphs
11 (1)(B) and (2)(B).

12 (6) REPORTABLE INCIDENTS.—If the appren-
13 tice is involved in a preventable, reportable to the
14 Department of Transportation accident or pointed
15 moving violation while driving a commercial motor
16 vehicle as part of an apprenticeship program de-
17 scribed in this section, the apprentice shall undergo
18 remediation and additional training, until such ap-
19 prentice can demonstrate to the employer's satisfac-
20 tion the performance benchmarks described in para-
21 graphs (1)(B) and (2)(B).

22 (7) COMPLETION OF PROGRAM.—The appren-
23 tice completes the apprenticeship program on the
24 date such apprentice completes the probationary pe-
25 riod described in paragraph (2).

1 (8) MINIMUM REQUIREMENTS.—

2 (A) IN GENERAL.—Nothing in this Act
3 shall preclude an employer from imposing addi-
4 tional requirements on an apprentice taking
5 part in an apprenticeship program established
6 pursuant to this section.

7 (B) TECHNOLOGIES.—Nothing in this Act
8 shall preclude an employer from requiring or in-
9 stalling additional technologies in a commercial
10 motor vehicle in addition to the technologies de-
11 scribed in paragraph (4)(A).

12 (d) DEFINITIONS.—In this section:

13 (1) The term “commercial motor vehicle” has
14 the meaning given such term in section 390.5 of title
15 49, Code of Federal Regulations, as in effect on the
16 date of enactment of this Act.

17 (2) The term “driving time” has the meaning
18 given such term in section 395.2 of title 49, Code
19 of Federal Regulations, as in effect on the date of
20 enactment of this Act.

21 (3) The term “experienced driver” means an in-
22 dividual who—

23 (A) is at least 21 years of age;

1 (B) has held a commercial driver’s license
2 for the 2 years preceding the date on which
3 such individual serves as an experienced driver;

4 (C) has had no preventable, reportable to
5 the Department of Transportation accidents or
6 pointed moving violations for the year preceding
7 the date on which such individual serves as an
8 experienced driver; and

9 (D) has a minimum of 1 year of experience
10 driving a commercial motor vehicle in interstate
11 commerce.

12 (4) The term “on-duty time” has the meaning
13 given such term in section 395.2 of title 49, Code
14 of Federal Regulations, as in effect on the date of
15 enactment of this Act.

16 (5) The term “pointed moving violation” means
17 a violation that results in points being added to the
18 license of a driver, or a similar violation that the
19 Secretary determines is comparable.

20 (e) ISSUANCE OF REGULATIONS.—Not later than 1
21 year after the date of enactment of this Act, the Secretary
22 shall issue regulations that comply with the requirements
23 of this Act.

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