

116TH CONGRESS
1ST SESSION

H. R. 5234

To direct the Secretary of Transportation to establish a Motorcycle Advisory Council, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2019

Mr. GALLAGHER (for himself, Mr. PAPPAS, Mr. ROUDA, and Mr. BALDERSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to establish a Motorcycle Advisory Council, 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 “Motorcycle Advisory
5 Council Reauthorization Act”.

6 **SEC. 2. MOTORCYCLIST ADVISORY COUNCIL.**

7 (a) ESTABLISHMENT.—Not later than 90 days after
8 the date of enactment of this Act, the Secretary of Trans-
9 portation shall establish a Motorcycle Advisory Council
10 (in this section referred to as the “Council”).

1 (b) DUTIES.—

2 (1) ADVISING.—The Council shall advise the
3 Secretary, the Administrator of the National High-
4 way Traffic Safety Administration, and the Adminis-
5 trator of the Federal Highway Administration on
6 transportation issues of concern to motorcyclists, in-
7 cluding—

8 (A) barrier design;

9 (B) road design, construction, and mainte-
10 nance practices; and

11 (C) the architecture and implementation of
12 intelligent transportation system technologies.

13 (2) BIENNIAL COUNCIL REPORT.—

14 (A) IN GENERAL.—The Council shall sub-
15 mit a report to the Secretary containing the
16 Council's recommendations regarding the issues
17 described in paragraph (1) on which the Coun-
18 cil provides advice pursuant to such paragraph.

19 (B) TIMING.—Not later than October 31
20 of the calendar year following the calendar year
21 in which the Council is established, and by
22 every 2d October 31 thereafter, the Council
23 shall submit the report required under this
24 paragraph.

25 (c) MEMBERSHIP.—

1 (1) IN GENERAL.—The Council shall be com-
2 prised of 12 members appointed by the Secretary as
3 follows:

4 (A) Five experts from State or local gov-
5 ernment on highway engineering issues, includ-
6 ing—

7 (i) barrier design;

8 (ii) road design, construction, and
9 maintenance; or

10 (iii) intelligent transportation systems.

11 (B) One State or local traffic and safety
12 engineer, design engineer, or other transpor-
13 tation department official who is a motorcyclist.

14 (C) One representative from a national as-
15 sociation of State transportation officials.

16 (D) One representative from a national
17 motorcyclist association.

18 (E) One representative from a national
19 motorcyclist foundation.

20 (F) One representative from a national
21 motorcycle manufacturing association.

22 (G) One roadway safety data expert on
23 crash testing and analysis.

1 (H) One member of a national safety orga-
2 nization that represents the traffic safety sys-
3 tems industry.

4 (2) DURATION.—

5 (A) TERM.—Subject to subparagraphs (B)
6 and (C), each member shall serve one term of
7 2 years.

8 (B) ADDITIONAL TERMS.—If a successor is
9 not designated for a member before the expira-
10 tion of the term the member is serving, the
11 member may serve another term.

12 (C) APPOINTMENT OF REPLACEMENTS.—If
13 a member resigns before serving a full 2-year
14 term, the Secretary may appoint a replacement
15 for such member to serve the remaining portion
16 such term. A member may continue to serve
17 after resignation until a successor has been ap-
18 pointed. A vacancy in the Council shall be filled
19 in the manner in which the original appoint-
20 ment was made.

21 (3) COMPENSATION.—Members shall serve
22 without compensation.

23 (d) TERMINATION.—The Council shall terminate 6
24 years after the date of its establishment.

1 **SEC. 3. DUTIES OF THE SECRETARY.**

2 (a) ACCEPT OR REJECT RECOMMENDATION.—

3 (1) SECRETARY DETERMINES.—The Secretary
4 shall determine whether to accept or reject a rec-
5 ommendation contained in a Council report.

6 (2) TIMING.—

7 (A) MUST ACCEPT OR REJECT.—The Sec-
8 retary must indicate in each report submitted
9 under this section the Secretary's acceptance or
10 rejection of each recommendation listed in such
11 report.

12 (B) EXCEPTION.—The Secretary may indi-
13 cate in a report submitted under this section
14 that a recommendation is under consideration.
15 If the Secretary does so, the Secretary must ac-
16 cept or reject the recommendation in the next
17 report submitted under this section.

18 (b) REPORT.—

19 (1) IN GENERAL.—Not later than 60 days after
20 the Secretary receives a Council report, the Sec-
21 retary shall submit a report to the following commit-
22 tees and subcommittees:

23 (A) The Committee on Transportation and
24 Infrastructure of the House of Representatives.

25 (B) The Committee on Environment and
26 Public Works of the Senate.

1 (C) The Committee on Commerce, Science,
2 and Transportation of the Senate.

3 (D) The Subcommittee on Transportation,
4 and Housing and Urban Development, and Re-
5 lated Agencies of the Committee on Appropria-
6 tions of the House of Representatives.

7 (E) The Subcommittee on Transportation,
8 and Housing and Urban Development, and Re-
9 lated Agencies of the Committee on Appropria-
10 tions of the Senate.

11 (2) CONTENTS.—A report submitted under this
12 subsection shall include—

13 (A) a list containing—

14 (i) each recommendation contained in
15 the Council report described in paragraph
16 (1); and

17 (ii) each recommendation indicated as
18 under consideration in the previous report
19 submitted under this subsection; and

20 (B) for each such recommendation, wheth-
21 er it is accepted, rejected, or under consider-
22 ation by the Secretary.

23 (c) ADMINISTRATIVE AND TECHNICAL SUPPORT.—
24 The Secretary shall provide such administrative support,
25 staff, and technical assistance to the Council as the Sec-

1 retary determines to be necessary for the Council to carry
2 out its duties.

3 **SEC. 4. DEFINITIONS.**

4 In this Act, the following definitions apply:

5 (1) COUNCIL REPORT.—The term “Council re-
6 port” means the report described in section 2(b)(2).

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary of Transportation.

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