

“(i) DRIVER COMPENSATION STUDY.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Nov. 15, 2021], the Secretary, acting through the Administrator of the Federal Motor Carrier Safety Administration, shall offer to enter into a contract with the Transportation Research Board under which the Transportation Research Board shall conduct a study of the impacts of various methods of driver compensation on safety and driver retention, including—

“(A) hourly pay;

“(B) payment for detention time; and

“(C) other payment methods used in the industry as of the date on which the study is conducted.

“(2) CONSULTATION.—In conducting the study under paragraph (1), the Transportation Research Board shall consult with—

“(A) labor organizations representing commercial motor vehicle drivers;

“(B) representatives of the motor carrier industry, including owner-operators; and

“(C) such other stakeholders as the Transportation Research Board determines to be relevant.”

ADMINISTRATIVE EXEMPTIONS

Pub. L. 114–94, div. A, title V, § 5206(b), Dec. 4, 2015, 129 Stat. 1537, provided that:

“(1) IN GENERAL.—The Secretary [of Transportation] shall make permanent the following limited exemptions:

“(A) Perishable construction products, as published in the Federal Register on April 2, 2015 (80 Fed. Reg. 17819).

“(B) Transport of commercial bee hives, as published in the Federal Register on June 19, 2015 (80 Fed. Reg. 35425).

“(C) Safe transport of livestock, as published in the Federal Register on June 12, 2015 (80 Fed. Reg. 33584).

“(2) ADDITIONAL ADMINISTRATIVE EXEMPTIONS.—Any exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, that is in effect on the date of enactment of this Act [Dec. 4, 2015]—

“(A) except as otherwise provided in section 31315(b) of title 49, shall be valid for a period of 5 years from the date such exemption was granted; and

“(B) may be subject to renewal under section 31315(b)(2) of title 49, United States Code.”

COMMERCIAL DRIVER PILOT PROGRAM

Pub. L. 114–94, div. A, title V, § 5404, Dec. 4, 2015, 129 Stat. 1549, provided that:

“(a) IN GENERAL.—The Secretary [of Transportation] shall establish a pilot program under section 31315(c) of title 49, United States Code, to study the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce.

“(b) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents in which—

“(1) a covered driver participating in the pilot program is involved; and

“(2) a driver under the age of 21 operating a commercial motor vehicle in intrastate commerce is involved.

“(c) LIMITATIONS.—A driver participating in the pilot program may not—

“(1) transport—

“(A) passengers; or

“(B) hazardous cargo; or

“(2) operate a vehicle in special configuration.

“(d) WORKING GROUP.—

“(1) ESTABLISHMENT.—The Secretary shall conduct, monitor, and evaluate the pilot program in consultation with a working group to be established by the Secretary consisting of representatives of the armed forces, industry, drivers, safety advocacy organizations, and State licensing and enforcement officials.

“(2) DUTIES.—The working group shall review the data collected under subsection (b) and provide rec-

ommendations to the Secretary on the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce.

“(e) REPORT.—Not later than 1 year after the date on which the pilot program is concluded, the Secretary shall submit to Congress a report describing the findings of the pilot program and the recommendations of the working group.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) ACCIDENT.—The term ‘accident’ has the meaning given that term in section 390.5 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

“(2) ARMED FORCES.—The term ‘armed forces’ has the meaning given that term in section 101(a) of title 10, United States Code.

“(3) COMMERCIAL MOTOR VEHICLE.—The term ‘commercial motor vehicle’ has the meaning given that term in section 31301 of title 49, United States Code.

“(4) COVERED DRIVER.—The term ‘covered driver’ means an individual who is—

“(A) between the ages of 18 and 21;

“(B) a member or former member of the—

“(i) armed forces; or

“(ii) reserve components (as defined in section 31305(d)(2) of title 49, United States Code, as added by this Act); and

“(C) qualified in a Military Occupational Specialty to operate a commercial motor vehicle or similar vehicle.”

PROTECTION OF EXISTING EXEMPTIONS

For provisions making amendment by section 4007 of Pub. L. 105–178 inapplicable to or otherwise not affecting waiver, exemption, or pilot program in effect the day before June 9, 1998, under this chapter or section 31136(e) of this title, see section 4007(d) of Pub. L. 105–178, set out as a note under section 31136 of this title.

§ 31316. Limitation on statutory construction

This chapter does not affect the authority of the Secretary of Transportation to regulate commercial motor vehicle safety involving motor vehicles with a gross vehicle weight rating of less than 26,001 pounds or a lesser gross vehicle weight rating the Secretary decides is appropriate under section 31301(4)(A) of this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1029.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31316	49 App.:2714.	Oct. 27, 1986, Pub. L. 99–570, §12017, 100 Stat. 3207–187.

The words “This chapter does not affect” are substituted for “Nothing in this chapter shall be construed to diminish, limit, or otherwise affect” to eliminate unnecessary words.

§ 31317. Procedure for prescribing regulations

Regulations prescribed by the Secretary of Transportation to carry out this chapter (except section 31307) shall be prescribed under section 553 of title 5 without regard to sections 556 and 557 of title 5.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1029.)