

116TH CONGRESS  
1ST SESSION

# H. R. 1374

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2019

Mr. HOLLINGSWORTH (for himself, Mr. CUELLAR, Mr. MITCHELL, Mr. COOPER, Ms. JACKSON LEE, Mr. GREEN of Texas, and Mr. WESTERMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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”.

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

9 (a) DEFINITIONS.—In this section:

1           (1) APPRENTICE.—The term “apprentice”  
2 means an individual under the age of 21 who holds  
3 a commercial driver’s license.

4           (2) COMMERCIAL DRIVER’S LICENSE.—The  
5 term “commercial driver’s license” has the meaning  
6 given the term in section 31301 of title 49, United  
7 States Code.

8           (3) COMMERCIAL MOTOR VEHICLE.—The term  
9 “commercial motor vehicle” has the meaning given  
10 the term in section 390.5 of title 49, Code of Fed-  
11 eral Regulations (as in effect on the date of enact-  
12 ment of this Act).

13           (4) DRIVING TIME.—The term “driving time”  
14 has the meaning given the term in section 395.2 of  
15 title 49, Code of Federal Regulations (as in effect on  
16 the date of enactment of this Act).

17           (5) EXPERIENCED DRIVER.—The term “experi-  
18 enced driver” means an individual who—

19                   (A) is not less than 21 years of age;

20                   (B) has held a commercial driver’s license  
21 for the 2-year period ending on the date on  
22 which the individual serves as an experienced  
23 driver under subsection (c)(3)(B);

24                   (C) has had no preventable accidents re-  
25 portable to the Department of Transportation

1 or pointed moving violations during the 1-year  
2 period ending on the date on which the indi-  
3 vidual serves as an experienced driver under  
4 subsection (c)(3)(B); and

5 (D) has a minimum of 2 years of experi-  
6 ence driving a commercial motor vehicle in  
7 interstate commerce.

8 (6) ON-DUTY TIME.—The term “on-duty time”  
9 has the meaning given the term in section 395.2 of  
10 title 49, Code of Federal Regulations (as in effect on  
11 the date of enactment of this Act).

12 (7) POINTED MOVING VIOLATION.—The term  
13 “pointed moving violation” means a violation that  
14 results in points being added to the license of a driv-  
15 er, or a similar comparable violation, as determined  
16 by the Secretary.

17 (8) SECRETARY.—The term “Secretary” means  
18 the Secretary of Transportation.

19 (b) APPRENTICE.—An apprentice may—

20 (1) drive a commercial motor vehicle in inter-  
21 state commerce while taking part in the 120-hour  
22 probationary period under subsection (c)(1) or the  
23 280-hour probationary period under subsection  
24 (c)(2), pursuant to an apprenticeship program estab-

1 lished by an employer in accordance with this sec-  
2 tion; and

3 (2) drive a commercial motor vehicle in inter-  
4 state commerce after the apprentice completes an  
5 apprenticeship program described in paragraph (1).

6 (c) APPRENTICESHIP PROGRAM.—An apprenticeship  
7 program referred to in subsection (b) is a program that  
8 consists of the following requirements:

9 (1) 120-HOUR PROBATIONARY PERIOD.—

10 (A) IN GENERAL.—The apprentice shall  
11 complete 120 hours of on-duty time, of which  
12 not less than 80 hours are driving time in a  
13 commercial motor vehicle.

14 (B) PERFORMANCE BENCHMARKS.—In  
15 order to complete the 120-hour probationary  
16 period under subparagraph (A), an employer  
17 shall determine that the apprentice is com-  
18 petent in each of the following areas:

19 (i) Interstate, city traffic, rural 2-  
20 lane, and evening driving.

21 (ii) Safety awareness.

22 (iii) Speed and space management.

23 (iv) Lane control.

24 (v) Mirror scanning.

25 (vi) Right and left turns.

1 (vii) Logging and complying with  
2 rules relating to hours of service.

3 (2) 280-HOUR PROBATIONARY PERIOD.—

4 (A) IN GENERAL.—After completing the  
5 120-hour probationary period under paragraph  
6 (1), the apprentice shall complete 280 hours of  
7 on-duty time, of which not less than 160 hours  
8 are driving time in a commercial motor vehicle.

9 (B) PERFORMANCE BENCHMARKS.—In  
10 order to complete the 280-hour probationary  
11 period under subparagraph (A), an employer  
12 shall determine that the apprentice is com-  
13 petent in each of the following areas:

14 (i) Backing and maneuvering in close  
15 quarters.

16 (ii) Pre-trip inspections.

17 (iii) Fueling procedures.

18 (iv) Weighing loads, weight distribu-  
19 tion, and sliding tandems.

20 (v) Coupling and uncoupling proce-  
21 dures.

22 (vi) Trip planning, truck routes, map  
23 reading, navigation, and permits.

24 (3) RESTRICTIONS FOR 120-HOUR AND 280-  
25 HOUR PROBATIONARY PERIODS.—During the 120-

1 hour probationary period under paragraph (1) and  
2 the 280-hour probationary period under paragraph  
3 (2)—

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

6 (i) automatic manual or automatic  
7 transmissions;

8 (ii) active braking collision mitigation  
9 systems;

10 (iii) forward-facing video event cap-  
11 ture; and

12 (iv) governed speeds of 65 miles per  
13 hour at the pedal and 65 miles per hour  
14 under adaptive cruise control; and

15 (B) the apprentice shall be accompanied in  
16 the cab of the commercial motor vehicle by an  
17 experienced driver.

18 (4) RECORDS RETENTION.—The employer shall  
19 maintain records, in a manner required by the Sec-  
20 retary, relating to the satisfaction of the require-  
21 ments of paragraphs (1)(B) and (2)(B) by the ap-  
22 prentice.

23 (5) REPORTABLE INCIDENTS.—If the appren-  
24 tice is involved in a preventable accident reportable  
25 to the Department of Transportation or a pointed

1 moving violation while driving a commercial motor  
2 vehicle as part of an apprenticeship program de-  
3 scribed in this subsection, the apprentice shall un-  
4 dergo remediation and additional training until the  
5 apprentice can demonstrate, to the satisfaction of  
6 the employer, competence in each of the performance  
7 benchmarks described in paragraphs (1)(B) and  
8 (2)(B).

9 (6) COMPLETION OF PROGRAM.—The appren-  
10 tice shall be considered to have completed the ap-  
11 prenticeship program on the date on which the ap-  
12 prentice completes the 280-hour probationary period  
13 under paragraph (2).

14 (7) MINIMUM REQUIREMENTS.—

15 (A) IN GENERAL.—Nothing in this Act  
16 prevents an employer from imposing additional  
17 requirements on an apprentice taking part in  
18 an apprenticeship program established pursuant  
19 to this section.

20 (B) TECHNOLOGIES.—Nothing in this Act  
21 prevents an employer from requiring or install-  
22 ing additional technologies in a commercial  
23 motor vehicle in addition to the technologies de-  
24 scribed in paragraph (3)(A).

1       (d) REGULATIONS.—Not later than 1 year after the  
2 date of enactment of this Act, the Secretary shall promul-  
3 gate regulations to implement this Act.

4       (e) NO EFFECT ON LICENSE REQUIREMENT.—Noth-  
5 ing in this Act exempts an apprentice from any require-  
6 ment to hold a commercial driver’s license in order to op-  
7 erate a commercial motor vehicle.

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