

116TH CONGRESS
1ST SESSION

H. R. 3628

To require motor carriers to mitigate hardships due to unwarranted and excessive passenger delays and to assess fines to bolster motor carriers' accountability to consumers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2019

Mr. THOMPSON of Mississippi (for himself, Mr. MCEACHIN, Mr. CARSON of Indiana, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Ms. FUDGE, Ms. CLARKE of New York, Ms. JOHNSON of Texas, Mr. PAYNE, Ms. ADAMS, Ms. NORTON, Mr. CLAY, Ms. KELLY of Illinois, Mr. BISHOP of Georgia, Mrs. LAWRENCE, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. HASTINGS, Mr. RICHMOND, Mrs. BEATTY, Mr. BUTTERFIELD, Ms. BASS, Mr. LAWSON of Florida, Ms. LEE of California, and Ms. PRESSLEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require motor carriers to mitigate hardships due to unwarranted and excessive passenger delays and to assess fines to bolster motor carriers' accountability to consumers, 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 “Motor Carriers Ac-
5 countability Act”.

1 **SEC. 2. PASSENGER DELAYS IN INTERSTATE MOTOR CAR-**
2 **RIER TRANSPORTATION.**

3 (a) IN GENERAL.—Subchapter I of chapter 141 of
4 title 49, United States Code, is amended by adding at the
5 end the following:

6 **“§ 14105. Passenger delays in interstate motor carrier**
7 **transportation**

8 “(a) IN GENERAL.—Not later than the date on which
9 a motor carrier operates a covered trip, each such motor
10 carrier shall adopt a contingency plan for excessive pas-
11 senger delays on covered trips.

12 “(b) COMPLIANCE.—Each motor carrier operating a
13 covered trip shall adhere to the terms of the plan adopted
14 pursuant to subsection (a).

15 “(c) CONTENTS.—A contingency plan described in
16 subsection (a) shall include the following conditions:

17 “(1) A motor carrier will not let passengers un-
18 dergo a covered delay unless there are safety-related
19 or security-related issues.

20 “(2) A motor carrier will provide adequate food
21 and water if passengers undergo a covered delay.

22 “(3) A motor carrier will ensure there are oper-
23 able lavatory facilities at stations.

24 “(4) A motor carrier will provide a full refund
25 of the price of a passenger’s ticket if a passenger

1 undergoes a covered delay and will provide the re-
2 mainder of the trip to the passenger without charge.

3 “(5) For a period of 2 years after the date of
4 any covered delay, a motor carrier will retain any
5 records containing the following information:

6 “(A) The length of such delay.

7 “(B) The cause of such delay.

8 “(C) Actions taken to minimize hardships
9 for passengers, including the provision of food
10 and water and the maintenance and servicing of
11 lavatories.

12 “(6) A motor carrier will include in the contin-
13 gency plan a statement about its compliance with
14 section 374.311 of title 49, Code of Federal Regula-
15 tions.

16 “(d) REQUIRED NOTIFICATIONS.—

17 “(1) IN GENERAL.—A motor carrier operating
18 a covered trip shall notify passengers of—

19 “(A) a known delayed arrival of 1 or more
20 hours after the scheduled arrival time on a sin-
21 gle one-way ticket;

22 “(B) cancellations; and

23 “(C) diversions.

1 “(2) TRAVEL STATUS.—A motor carrier oper-
2 ating a covered trip shall notify passengers of travel
3 status information—

4 “(A) in the boarding area of the station;

5 “(B) on the website of such motor carrier;

6 “(C) on the mobile application of such
7 motor carrier; and

8 “(D) through the telephone reservation
9 system of such motor carrier, upon inquiry by
10 any person.

11 “(3) UPDATE.—In the case of a covered delay,
12 a motor carrier shall provide passengers an update
13 on the delay at a frequency of not less than once
14 every 30 minutes.

15 “(e) PENALTIES.—Notwithstanding any other provi-
16 sion of law, the following penalties apply with respect to
17 this section:

18 “(1) A motor carrier is liable to the United
19 States for a civil penalty, in an amount to be deter-
20 mined by the Secretary, for a covered delay that is
21 unwarranted and unannounced.

22 “(2) A motor carrier shall pay a penalty de-
23 scribed in paragraph (1) not later than the date that
24 is 14 days after the date on which a covered delay
25 occurs.

1 “(3) The penalty described in paragraph (1)
2 shall be not less than \$50,000.

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

5 “(1) COVERED DELAY.—The term ‘covered
6 delay’ means a delayed arrival of 3 or more hours
7 after the scheduled arrival time on a single one-way
8 ticket of a covered trip.

9 “(2) COVERED TRIP.—The term ‘covered trip’
10 means a trip on a motor carrier that is operating
11 such trip pursuant to scheduled passenger services
12 on a standard coach bus with 50 or more seats.

13 “(3) DIVERSION.—The term ‘diversion’ means
14 any unknown delays, including mechanical issues, in-
15 volvement in a car accident, or passenger emer-
16 gencies.

17 “(4) PASSENGER.—The term ‘passenger’ means
18 a passenger on a covered trip.”.

19 (b) CONFORMING AMENDMENT.—The table of chap-
20 ters for chapter 141 of title 49, United States Code, is
21 amended by adding at the end the following new item:

“14105. Passenger delays in interstate motor carrier transportation.”.

○