

115TH CONGRESS
2D SESSION

S. 3352

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 SENATE OF THE UNITED STATES

AUGUST 16, 2018

Mr. YOUNG (for himself, Mr. MORAN, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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 1 year of experience
6 driving a commercial motor vehicle in interstate
7 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)(2) 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, light city traffic, rural
20 2-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.

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