

AMENDMENT

OFFERED BY MR. PENCE OF INDIANA

At the end of subtitle F of title I, add the following
new section:

1 **SEC. 1615. WORKING GROUP ON IMPROVING THE LIVE-**
2 **STOCK, INSECT, AND AGRICULTURAL COM-**
3 **MODITIES TRANSPORT INDUSTRIES.**

4 (a) DEFINITIONS.—In this section:

5 (1) AGRICULTURAL COMMODITY.—The term
6 “agricultural commodity” means—

7 (A) an agricultural commodity as defined
8 in section 518 of the Federal Crop Insurance
9 Act (7 U.S.C. 1518); and

10 (B) an agricultural commodity as defined
11 in section 395.2 of title 49, Code of Federal
12 Regulations (or successor regulations).

13 (2) LIVESTOCK.—The term “livestock” has the
14 meaning given the term in section 602 of the Emer-
15 gency Livestock Feed Assistance Act of 1988 (7
16 U.S.C. 1471).

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

1 (4) WORKING GROUP.—The term “working
2 group” means the working group established by the
3 Secretary under subsection (b).

4 (b) ESTABLISHMENT.—Not later than 120 days after
5 the date of enactment of this Act, the Secretary shall es-
6 tablish a working group—

7 (1) to identify obstacles to safe, humane, and
8 market-efficient transport of livestock, insects, and
9 agricultural commodities; and

10 (2) to develop guidelines and recommended reg-
11 ulatory or legislative actions to improve the safe, hu-
12 mane, and efficient transport of livestock, insects,
13 and agricultural commodities.

14 (c) OUTREACH.—In carrying out the duties of the
15 working group under subsection (b), the working group
16 shall consult with—

17 (1) interested Governors;

18 (2) representatives of State and local agricul-
19 tural and highway safety agencies;

20 (3) other representatives of relevant State and
21 local agencies;

22 (4) members of the public with experience in—

23 (A) the livestock, insect, and agricultural
24 commodities industries;

25 (B) the livestock trucking industry; or

1 (C) transportation safety; and

2 (5) any other groups or stakeholders that the
3 working group determines to be appropriate.

4 (d) CONSIDERATIONS.—In carrying out the duties of
5 the working group under subsection (b), the working
6 group shall—

7 (1) consider the impact of the existing hours of
8 service regulations under subpart A of part 395 of
9 title 49, Code of Federal Regulations (or successor
10 regulations), on the commercial transport of live-
11 stock, insects, and agricultural commodities;

12 (2) identify incompatibilities and other chal-
13 lenges and concerns caused by the hours of service
14 regulations described in paragraph (1) and electronic
15 logging device regulations under subpart B of part
16 395 of title 49, Code of Federal Regulations (or suc-
17 cessor regulations), on the transport of livestock, in-
18 sects, and agricultural commodities;

19 (3) identify initiatives and regulatory changes
20 that maintain and protect the safety of highways
21 and allow for the safe, efficient, and productive mar-
22 ketplace transport of livestock, insects, and agricul-
23 tural commodities; and

24 (4) consider such other issues as the Secretary
25 considers appropriate.

1 (e) COMPOSITION.—

2 (1) IN GENERAL.—The Secretary (or a des-
3 ignee) shall serve as the chair of the working group.

4 (2) MEMBERSHIP.—

5 (A) IN GENERAL.—The working group
6 shall be composed of members appointed by the
7 Secretary, including individuals with knowledge
8 and expertise that includes highway safety, the
9 commercial motor vehicle and transportation in-
10 dustries, animal husbandry, and the transpor-
11 tation of livestock, insects, and agricultural
12 commodities.

13 (B) REQUIREMENT.—The working group
14 shall include, at a minimum, representatives
15 of—

16 (i) the Department of Agriculture;

17 (ii) State agencies, including State de-
18 partments of agriculture and transpor-
19 tation;

20 (iii) highway and commercial motor
21 vehicle safety organizations;

22 (iv) agricultural producers including
23 producers of livestock, insects, and agricul-
24 tural commodities; and

1 (v) commercial motor vehicle opera-
2 tors, including small business operators
3 and operators who haul livestock, insects,
4 and agricultural commodities.

5 (f) WORKING GROUP REPORT AND REGULATORY AC-
6 TION.—

7 (1) REPORT.—Not later than 1 year after the
8 date on which the working group is established, the
9 working group shall submit to the Secretary a report
10 that includes—

11 (A) the findings of the working group, in-
12 cluding a summary of the views expressed by
13 individuals and entities consulted under sub-
14 section (c); and

15 (B) the initiatives and regulatory and leg-
16 islative changes that the working group identi-
17 fies as necessary to protect the safety of high-
18 ways and allow for the safe, efficient, and pro-
19 ductive marketplace transport of livestock, in-
20 sects, and agricultural commodities.

21 (2) REGULATORY CHANGES.—Not later than
22 120 days after the date on which the Secretary re-
23 ceives the report under paragraph (1), the Secretary
24 shall propose regulatory changes that take into ac-

1 count the findings and recommendations of the
2 working group, including—

3 (A) changes to the hours of service regula-
4 tions under subpart A of part 395 of title 49,
5 Code of Federal Regulations (or successor regu-
6 lations);

7 (B) changes to the electronic logging de-
8 vice regulations under subpart B of part 395 of
9 title 49, Code of Federal Regulations (or suc-
10 cessor regulations), including changes to regula-
11 tions relating to the performance and design of
12 electronic logging devices; and

13 (C) any other changes that the working
14 group recommends.

15 (3) APPLICATION.—Subsections (a) through (f)
16 of section 31137 of title 49, United States Code (in-
17 cluding any regulations promulgated to carry out
18 those subsections), shall not apply to commercial
19 motor vehicles hauling livestock, insects, or agricul-
20 tural commodities until the date on which the Sec-
21 retary proposes regulatory changes under paragraph
22 (2).

23 (g) REPORT AND RECOMMENDATIONS BY SEC-
24 RETARY.—Not later than 30 days after the date on which
25 the Secretary receives the report of the working group

1 under subsection (f)(1), the Secretary shall submit to the
2 appropriate committees of Congress a report, including—
3 (1) a summary of the views expressed by the in-
4 dividuals and entities consulted under subsection (c);
5 (2) a description of the findings of the working
6 group, including the identification of any areas of
7 general consensus among the non-Federal partici-
8 pants in the consultation under subsection (c); and
9 (3) any recommendations for legislative or regu-
10 latory action that would assist in maintaining and
11 improving the safe, humane, and market-efficient
12 transport of livestock, insects, and agricultural com-
13 modities.

