

S 1732

Comprehensive Transportation and Consumer Protection Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

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Sponsor

Name: Sen. Thune, John [R-SD]

Party: Republican • **State:** SD • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Fischer, Deb [R-NE]	R · NE		Jul 9, 2015
Sen. Moran, Jerry [R-KS]	R · KS		Jul 9, 2015

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	May 23, 2016

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
114 S 1626	Related bill	May 16, 2016: Placed on Senate Legislative Calendar under General Orders. Calendar No. 466.
114 S 806	Related bill	Mar 28, 2016: Placed on Senate Legislative Calendar under General Orders. Calendar No. 404.
114 S 766	Related bill	Sep 28, 2015: Placed on Senate Legislative Calendar under General Orders. Calendar No. 239.
114 S 1433	Related bill	May 21, 2015: Read twice and referred to the Committee on Commerce, Science, and Transportation.
114 HR 1467	Related bill	Mar 20, 2015: Referred to the Subcommittee on Highways and Transit.
114 HR 1267	Related bill	Mar 5, 2015: Referred to the Subcommittee on Highways and Transit.
114 S 654	Related bill	Mar 4, 2015: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Comprehensive Transportation and Consumer Protection Act of 2015

This bill establishes in the Department of Transportation (DOT) Office of the Secretary an Interagency Infrastructure Permitting Improvement Center to support modernization efforts at federal agencies and interagency pilots for innovative approaches to the permitting and review of infrastructure projects.

DOT shall establish standards that ensure the safety of the surface transportation network for motorized and nonmotorized users.

The bill revises and reauthorizes the state infrastructure bank program for FY2016-FY2021.

DOT shall establish a national multimodal freight network and develop a national freight strategic plan.

The bill allows states to develop freight investment plans.

DOT shall develop a five-year transportation research and development (R&D) strategic plan.

The Office of the Assistant Secretary for Research and Technology of the Research and Innovative Technology Administration is eliminated, and DOT shall be responsible generally for coordination and review of DOT R&D programs and activities.

The bill also eliminates the DOT Office of Intermodalism of the Research and Innovative Technology Administration.

Port Performance Act

The Bureau of Transportation Statistics (BTS) shall establish a port performance statistics program to provide nationally consistent measures of performance of at least the nation's top 25 ports by tonnage, its top 25 ports by 20-foot equivalent unit, and its top 25 ports by dry bulk.

The Federal Motor Carrier Safety Administration (FMCSA) shall commission the National Research Council of the National Academies to study the Safety Measurement System (SMS) and the Compliance, Safety, Accountability (CSA) program.

The bill establishes a national hiring standard for motor carriers.

The FMCSA shall establish:

- procedures for exemption from federal hours of service requirements for commercial motor vehicle drivers, and
- a six-year pilot program to study the feasibility of allowing licensed drivers between ages 18 and 21 to operate commercial motor vehicles.

DOT shall administer a financial assistance program for discretionary grants to and cooperative agreements with states, local governments, federally-recognized Indian tribes, and other persons to carry out high priority motor carrier safety activities and projects.

The bill reauthorizes for:

- FY2017-FY2021, FMCSA Financial Assistance Programs,

- FY2016-FY2021, FMCSA expenses, and
- FY2016, FMCSA programs.

Drug Free Commercial Driver Act of 2015

Motor carriers may use hair testing as an acceptable alternative to mandatory urinalysis for detecting use of controlled substances by an operator, but only for preemployment testing and random testing.

The bill reauthorizes for FY2016-FY2021:

- hazmat transportation safety projects, and
- National Highway Traffic Safety Administration (NHTSA) safety programs.

DOT shall award separate grants to each state that:

- adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or driving while intoxicated to receive a restriction on driving privileges; and
- either adopts and is enforcing a mandatory alcohol-ignition interlock law for all individuals convicted of driving under the influence of alcohol or of driving while intoxicated, or provides a 24-7 sobriety program.

NHTSA shall identify additional actions that it should take to assist states in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

Stop Motorcycle Checkpoint Funding Act

DOT may not award grants or funds to any state or local government for any program to check helmet usage or create checkpoints for motorcycle drivers or passengers.

Improving Driver Safety Act of 2015

States may use distracted driving incentive program grants for enforcement of distracted driving laws as well as highway safety program projects.

The bill revises minimum requirements for state graduated driver licensing incentive grant programs.

DOT shall award incentive grants to states with graduated driving licensing laws that require novice drivers under age 18 (currently, under age 21) to comply with a two-stage licensing process before receiving an unrestricted driver's license.

Such laws shall, at a minimum, include a learner's permit stage that:

- makes a violation of the prohibition against using a personal wireless communications device while driving (with specified emergency exceptions) a primary offense;
- requires applicants to pass a vision and knowledge assessment before receiving a learner's permit;
- requires the driver to be accompanied and supervised at all times while operating the motor vehicle by a licensed driver at least age 21 or by a state-certified driving instructor;
- requires the driver to complete a state-certified driver education or training course or obtain at least 50 hours of behind-the-wheel training (with at least 10 hours at night), with a licensed driver; and
- remains in effect until the driver attains age 16 and enters the intermediate stage, or attains 18.

Such laws shall also include an intermediate permit stage that:

- begins immediately after successful completion of a driving skills assessment,
- makes a violation of the prohibition against using a personal wireless communications device while driving (with specified emergency exceptions) a primary offense,
- restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver age 21 or older (with specified exceptions) for the first six months of the intermediate stage, and
- remains in effect until the driver attains age 17.

The bill reauthorizes for FY2016-FY2021 the administration of DOT motor vehicle safety requirements and requirements for consumer information, bumper standards, odometers, automobile fuel economy, and theft prevention.

DOT shall implement current information technology, web design trends, and best practices to ensure that motor vehicle safety recall information is readily accessible to the public on its website.

Raechel and Jacqueline Houck Safe Rental Car Act of 2015

The bill authorizes a rental company that receives a notification (approved by the National Highway Traffic Safety Administration) from the manufacturer of a covered rental vehicle about any equipment defect, or noncompliance with federal motor vehicle safety standards, to rent or sell the vehicle or equipment only if the defect or noncompliance is remedied.

Covered rental vehicle means one: (1) rated at 10,000 pounds gross vehicle weight or less, (2) rented without a driver for an initial term of under 4 months, and (3) that is part of a motor vehicle fleet of 5 or more motor vehicles used for rental purposes by a rental company.

A rental company may rent (but not sell or lease) a motor vehicle subject to recall if the defect or noncompliance remedy is not immediately available and the company takes any actions specified in the notice to alter the vehicle temporarily to eliminate the safety risk posed.

Rental companies are prohibited from knowingly making inoperable any safety devices or elements of design installed on or in a compliant motor vehicle or vehicle equipment unless the company reasonably believes the vehicle or equipment will not be used when the devices or elements are inoperable.

The bill increases from \$5,000 to \$14,000 maximum civil penalties for certain violations of motor vehicle safety, and from \$35 million to \$70 million the maximum civil penalty for a series of violations.

Driver Privacy Act of 2015

Any data in an event data recorder required to be installed in a passenger motor vehicle shall be the property of the vehicle owner or lessee, regardless of when the vehicle was manufactured.

Safety Through Informed Consumers Act of 2015

DOT shall promulgate a rule to ensure that passenger motor vehicle crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.

Tire Efficiency, Safety, and Registration Act of 2015 or the TESR Act

DOT shall promulgate regulations for:

- tire fuel efficiency minimum performance standards, and
- tire wet traction minimum performance standards.

DOT shall initiate a rulemaking to require independent distributors or dealers of tires to maintain records containing certain information on sales of tires.

DOT shall establish a publicly available electronic tire recall database.

Rail Reform, Enhancement, and Efficiency Act

The bill reauthorizes appropriations for FY2016-FY2019 to DOT for the National Railroad Passenger Corporation (Amtrak) for:

- the Northeast Corridor investment account, including a state-supported account, a long-distance account, and an other national network activities account;
- national infrastructure and safety investments grants;
- National Transportation Safety Board rail investigations; and
- the Office of the Inspector General.

Amtrak shall establish internal controls to ensure its costs, revenues, and other compensation are allocated to specified features of its national network activities.

Amtrak shall submit to Congress and DOT final five-year business line plans and five-year asset plans.

DOT shall develop a program for issuing three-year competitive operating assistance grants to states and other eligible entities to enhance intercity rail passenger service.

DOT may make grants to states and other eligible entities to assist in financing the cost of rail projects to improve the safety of passenger and freight rail transportation systems.

DOT shall require each Class I railroad carrier and entity providing regularly scheduled intercity or commuter rail passenger transportation to develop a plan for implementing a positive train control (PTC) system by December 31, 2015, (currently, 2018) on certain of its tracks.

Track, Railroad, and Infrastructure Network Act

The bill exempts improvements to, maintenance, rehabilitation, or operation of, railroad or rail transit lines (but not stations) that are in use or were historically used for the transportation of goods or passengers from federal policies and requirements for the preservation of public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

Railroad Infrastructure Financing Improvement Act

The bill revises Railroad Rehabilitation and Improvement Financing program requirements.

Actions Timeline

- **May 23, 2016:** Committee on Commerce, Science, and Transportation. Reported by Senator Thune with an amendment in the nature of a substitute. Without written report.
- **May 23, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 478.
- **Jul 15, 2015:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 9, 2015:** Introduced in Senate
- **Jul 9, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.