

115TH CONGRESS
2D SESSION

H. R. 5948

To exempt motor carriers that own or operate 10 or fewer commercial vehicles from the electronic logging device mandates, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2018

Mr. PETERSON (for himself, Mr. GIANFORTE, and Mr. KING of Iowa) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To exempt motor carriers that own or operate 10 or fewer commercial vehicles from the electronic logging device mandates, 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 “Small Carrier Elec-
5 tronic Logging Device Exemption Act of 2018”.

1 **SEC. 2. EXCEPTION TO THE ELECTRONIC LOGGING DEVICE**
2 **REQUIREMENTS FOR MOTOR CARRIERS**
3 **THAT OWN OR OPERATE 10 OR FEWER COM-**
4 **MERCIAL VEHICLES.**

5 Section 31137(b)(3) of title 49, United States Code,
6 is amended to read as follows:

7 “(3) EXCEPTION.—

8 “(A) IN GENERAL.—An excepted motor
9 carrier may comply with the hours of service re-
10 quirements by requiring each driver to use—

11 “(i) a paper record of duty status
12 form; or

13 “(ii) an electronic logging device.

14 “(B) EXCEPTED MOTOR CARRIER DE-
15 FINED.—In this subsection, the term ‘excepted
16 motor carrier’ means—

17 “(i) a motor carrier when transporting
18 a motor home or recreation vehicle trailer
19 within the definition of the term
20 ‘driveaway-towaway operation’ (as defined
21 in section 390.5 of title 49, Code of Fed-
22 eral Regulations); and

23 “(ii) a motor carrier that owns or op-
24 erates 10 or fewer commercial motor vehi-
25 cles, including commercial motor vehicles
26 owned or operated by all motor carriers af-

1 filiated with that motor carrier by common
2 ownership, common management, common
3 control, or common familiar relationship.”.

4 **SEC. 3. REQUIREMENT TO PRESCRIBE REGULATIONS.**

5 Not later than 90 days after the date of enactment
6 of this Act, the Secretary of Transportation shall promul-
7 gate such regulations as are necessary to carry out the
8 amendment made by section 2 of this Act.

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