

Union Calendar No. 287

118TH CONGRESS
2^D SESSION

H. R. 3372

[Report No. 118-352]

To amend title 23, United States Code, to establish a safety data collection program for certain 6-axle vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2023

Mr. JOHNSON of South Dakota (for himself and Mr. COSTA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

JANUARY 18, 2024

Additional sponsors: Mr. EDWARDS and Mr. DUARTE

JANUARY 18, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 16, 2023]

A BILL

To amend title 23, United States Code, to establish a safety data collection program for certain 6-axle vehicles, 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. SAFETY DATA COLLECTION PROGRAM FOR CER-**
4 **TAIN 6-AXLE VEHICLES.**

5 *Section 127 of title 23, United States Code, is amended*
6 *by adding at the end the following:*

7 *“(x) PILOT PROGRAM FOR SAFETY DATA COLLECTION*
8 *ON CERTAIN 6-AXLE VEHICLES.—*

9 *“(1) GENERAL AUTHORITY.—Not later than 30*
10 *days after the date of enactment of this subsection, the*
11 *Secretary shall establish a pilot program (referred to*
12 *in this subsection as the ‘pilot program’) under which*
13 *States admitted by the Secretary under paragraph (2)*
14 *may allow covered 6-axle vehicles to be operated on*
15 *the Interstate System in the State.*

16 *“(2) ADMISSION TO PILOT PROGRAM.—*

17 *“(A) INITIAL APPLICATION.—Beginning on*
18 *the date that is 30 days after the date of enact-*
19 *ment of this subsection, a State seeking to par-*
20 *ticipate in the pilot program shall submit an ap-*
21 *plication to the Secretary in electronic form,*
22 *containing such administrative information as*
23 *the Secretary may require, including a certifi-*
24 *cation that the State has or will have the author-*

1 *ity pursuant to State law to implement the pilot*
2 *program.*

3 “(B) *ADMISSION.—The Secretary shall*
4 *admit to the pilot program, on a rolling basis,*
5 *States that submit a completed application*
6 *under subparagraph (A).*

7 “(C) *ELECTION TO NO LONGER PARTICI-*
8 *PATE.—If a State elects to no longer participate*
9 *in the pilot program, the State shall notify the*
10 *Secretary of such election.*

11 “(3) *MEANS OF IMPLEMENTATION.—*

12 “(A) *IN GENERAL.—To be eligible to par-*
13 *ticipate in the pilot program, a State shall agree*
14 *to implement the pilot program through the*
15 *issuance of permits per vehicle or group of vehi-*
16 *cles with respect to covered 6-axle vehicles.*

17 “(B) *PERMIT.—A permit described in sub-*
18 *paragraph (A) shall—*

19 “(i) *describe the Interstate System*
20 *routes that may be used while operating at*
21 *greater than 80,000 pounds gross vehicle*
22 *weight in a covered 6-axle vehicle; and*

23 “(ii) *require the permit holder to re-*
24 *port to the State, with respect to each cov-*

1 *ered 6-axle vehicle for which such permit*
2 *was issued—*

3 *“(I) each accident (as such term*
4 *is defined in section 390.5 of title 49,*
5 *Code of Federal Regulations, as in ef-*
6 *fect on the date of enactment of this*
7 *subsection) that occurred in the State*
8 *involving the covered 6-axle vehicle on*
9 *the Interstate System in the State;*

10 *“(II) the estimated gross vehicle*
11 *weight of each covered 6-axle vehicle at*
12 *the time of an accident described in*
13 *subclause (I); and*

14 *“(III) the estimated miles traveled*
15 *by the covered 6-axle vehicle on the*
16 *Interstate System in the State annu-*
17 *ally.*

18 *“(C) SAFETY EQUIPMENT INCENTIVE.—*

19 *“(i) FEE REDUCTION.—With respect to*
20 *any fee associated with a permit under this*
21 *paragraph, the State may reduce the fee*
22 *otherwise applicable to a vehicle by 67 per-*
23 *cent if the vehicle is equipped with an auto-*
24 *matic emergency braking system, including*

1 *such systems in use on the date of enact-*
2 *ment of this subsection.*

3 “(ii) *GROUP OF VEHICLES.—As ap-*
4 *plied to a permit for a group of vehicles, the*
5 *reduction under clause (i) shall only apply*
6 *with respect to individual vehicles in the*
7 *group that are equipped with an automatic*
8 *emergency breaking system, including such*
9 *systems in use on the date of enactment of*
10 *this subsection.*

11 “(4) *OTHER AUTHORIZATIONS NOT AFFECTED.—*
12 *This subsection shall not restrict—*

13 “(A) *a vehicle that may operate under any*
14 *other provision of this section or another Federal*
15 *law; or*

16 “(B) *a State’s authority with respect to a*
17 *vehicle that may operate under any other provi-*
18 *sion of this section or another Federal law.*

19 “(5) *NO HIGHWAY FUNDING REDUCTION.—Not-*
20 *withstanding subsection (a), funds apportioned to a*
21 *State under section 104 for any period may not be*
22 *reduced because the State authorizes the operation of*
23 *covered 6-axle vehicles within such State in accord-*
24 *ance with this subsection.*

1 “(6) *ANNUAL REPORT.*—Not later than the first
2 *March 1* after the date of enactment of this subsection,
3 and annually thereafter, a State participating in the
4 pilot program shall submit to the Secretary with re-
5 spect to the previous calendar year, a report on—

6 “(A) the number of accidents (as such term
7 is defined in section 390.5 of title 49, Code of
8 Federal Regulations (as in effect on the date of
9 enactment of this subsection)) that occurred on
10 the Interstate System in the State involving a
11 covered 6-axle vehicle for which a permit was
12 issued under the pilot program;

13 “(B) the estimated gross vehicle weight of
14 each such vehicle at the time of the accident in
15 the State described in subparagraph (A); and

16 “(C) the estimated miles traveled by such
17 vehicle on the Interstate System in the State.

18 “(7) *TERMINATION OF PILOT PROGRAM.*—

19 “(A) *IN GENERAL.*—Except as provided in
20 subparagraph (B), the pilot program shall termi-
21 nate on the date that is 5 years after the date
22 of enactment of this subsection.

23 “(B) *ADDITIONAL APPLICATION; CONTINU-*
24 *ATION OF AUTHORITY.*—For a period of 5 years
25 beginning on the date described in subparagraph

1 (A), the Secretary may continue the pilot pro-
2 gram with respect to each State in the program,
3 upon the application of a State and after consid-
4 eration of—

5 “(i) the actual experience of the State
6 under the pilot program; and

7 “(ii) any documents or other material
8 submitted by the State in support of such
9 an application.

10 “(8) COVERED 6-AXLE VEHICLE DEFINED.—In
11 this subsection, the term ‘covered 6-axle vehicle’ means
12 a vehicle—

13 “(A) equipped with 6 or more axles;

14 “(B) for which the weight—

15 “(i) on any single axle of the vehicle
16 does not exceed 20,000 pounds, including
17 enforcement tolerances;

18 “(ii) on any tandem axle of the vehicle
19 does not exceed 34,000 pounds, including
20 enforcement tolerances; and

21 “(iii) on any group of three or more
22 axles of the vehicle does not exceed 45,000
23 pounds, including enforcement tolerances;

24 “(C) for which the gross weight does not ex-
25 ceed the lesser of—

1 “(i) 91,000 pounds, including enforce-
2 ment tolerances; and

3 “(ii) the maximum permitted by the
4 bridge formula under subsection (a); and

5 “(D) that is not a longer combination vehi-
6 cle, as such term is defined in subsection
7 (d)(4).”.

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