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# H.R. 1773 - Safe American Roads Act of 2007

## Floor Situation

H.R. 1773 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Nancy Boyda (D-KS) on March 29, 2007. During markup, Rep. DeFazio offered an amendment in the nature of a substitute that was agreed to by a recorded vote of 66-0. The bill was ordered to be reported from the Committee on Transportation and Infrastructure, by voice vote, on May 2, 2007.

H.R. 1773 is expected to be considered on May 15, 2007.

## Background

On January 1, 1994, the North American Free Trade Agreement took effect, which, among many things, lifted the restrictions on cross-border truck service between the US and Mexico. However, there have been concerns that this removal would adversely affect safety on American roads. This sensitivity stems from reports of safety violations by motor carriers domiciled in Mexico, their vehicles, and their drivers.

Because of this concern, trucks entering from Mexico have been limited to commercial zones nestled along the US-Mexico border, ranging from 3 miles to 20 miles wide. These trucks may drive into these commercial zones, park, unload their cargo onto American-owned trucks, and then return to Mexico.

In the 107$^{th}$ Congress, the Department of Transportation Appropriations Act (PL 107-87) addressed the safety concerns of Mexican-domiciled trucks using American roadways. Section 350 of PL 107-87 prohibited the DOT from granting long-haul operating authority to Mexican-domiciled trucks until 22 safety restrictions were met.

Current law, which was enacted as part of the Transportation Equity Act for the 21$^{st}$ Century (PL 105-178), mandates that the DOT must meet specific standards when it conducts a pilot program to “evaluate alternatives to regulations, relating to, or innovative approaches to, motor carrier, commercial motor vehicle, and driver safety.” This is found in section 31315 of tile 49 of U.S. Code.

On February 23, 2007, Secretary of Transportation Mary Peters announced a pilot program to give authority to 100 motor carrier companies domiciled in Mexico to extend long-haul operations beyond the commercial zones along the US-Mexico border.

However, this program is meant to be reciprocal and allow for 100 United States trucking companies to receive authority to operate in Mexico. But the DOT has estimated that Mexico will not be ready to handle applications for requests at least 6 months into the pilot program, leaving American companies in a competitive disadvantage.

During the 110th Congress, the House of Representatives passed the Conference Report to H.R. 1591 (the war supplemental). The Conference Report denied the DOT the authority to start this pilot program unless the pilot program adhered to Section 350 of PL 107-87 and section 31315 of tile 49 of U.S. Code. The Conference Report was vetoed by the President.

**Summary**

H.R. 1773 limits the 1 year pilot program announced by the Secretary of Transportation that grants authority to motor carriers domiciled in Mexico to operate beyond United States municipalities and commercial zones on the United States-Mexico border.

This bill requires that the pilot program:

- Comply with the requirements of Section 350 of Public Law 107-87;
- Comply with the requirements of section 31315(c) of title 49, U.S. Code;
- Not permit motor carriers domiciled in Mexico to operate beyond United States municipalities and commercial zones on the United States-Mexico border until motor carriers domiciled in the United States have been allowed to begin comparable operations in Mexico.

H.R. 1773 requires that the Inspector General of the Department of Transportation:

- Monitor and review the pilot program;
- Submit to Congress, no later than 270 dates after the commencement of the pilot program, an interim report on the Inspector General’s findings regarding the pilot program;
- Submit to Congress a final report on the pilot program within 90 days of the pilot program’s termination.

**Cost**

“Assuming appropriation of the necessary amounts, CBO estimates that enacting

H.R. 1773 would cost less than $500,000 in 2008 and $2 million over the 2008-2012 period. Enacting the legislation would not affect direct spending or revenues.” CBO Cost Estimate

**Staff Contact:**
For questions or further information contact Chris Vieson at (202) 226-2302.