

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require the Secretary of Transportation to carry out a pilot program to study the effects of installing side underride guards on certain trailers, semitrailers, and single-unit trucks, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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**A BILL**

To require the Secretary of Transportation to carry out a pilot program to study the effects of installing side underride guards on certain trailers, semitrailers, and single-unit trucks, 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. SIDE UNDERRIDE GUARD PILOT PROGRAM.**

4 (a) DEFINITIONS.—In this section:

5 (1) COVERED VEHICLE.—The term “covered ve-  
6 hicle” means—

7 (A) a trailer with an undercarriage height  
8 of not less than 22 inches;

1 (B) a semitrailer with an undercarriage  
2 height of not less than 22 inches; and

3 (C) a single-unit truck with an under-  
4 carriage height of not less than 22 inches.

5 (2) MOTOR CARRIER.—The term “motor car-  
6 rier” has the meaning given the term in section  
7 13102 of title 49, United States Code.

8 (3) PASSENGER MOTOR VEHICLE.—The term  
9 “passenger motor vehicle” has the meaning given  
10 the term in section 32101 of title 49, United States  
11 Code.

12 (4) PILOT PROGRAM.—The term “pilot pro-  
13 gram” means the pilot program carried out under  
14 subsection (b).

15 (5) SECRETARY.—The term “Secretary” means  
16 the Secretary of Transportation.

17 (b) PILOT PROGRAM.—Not later than 1 year after  
18 the date of enactment of this Act, the Secretary shall carry  
19 out a pilot program under section 31315(c) of title 49,  
20 United States Code—

21 (1) to study the operational details, benefits,  
22 and safety impacts of installing side underride  
23 guards on covered vehicles, including—

24 (A) the effect of side underride guards on  
25 the total fuel cost for a covered vehicle;

1 (B) the effect of side underride guards on  
2 the frame of a covered vehicle, including—

3 (i) whether side underride guards put  
4 any additional stress on the frame of a  
5 covered vehicle as compared to covered ve-  
6 hicles without side underride guards; and

7 (ii) whether there is any change in the  
8 structure or structural integrity of a cov-  
9 ered vehicle equipped with side underride  
10 guards as compared to a covered vehicle  
11 that is not equipped with side underride  
12 guards;

13 (C) any effect of side underride guards on  
14 the ability of a covered vehicle—

15 (i) to clear rail grade crossings; and

16 (ii) to navigate loading docks;

17 (D) whether side underride guards limit  
18 access to, or displace equipment on, the under-  
19 carriage of a covered vehicle; and

20 (E) whether side underride guards inhibit  
21 inspection of a covered vehicle;

22 (2) to collect statistically significant data that  
23 is sufficient to inform the Secretary in—

24 (A) making the assessment required under  
25 paragraph (3); and

1 (B) developing performance standards  
2 under paragraph (4);

3 (3) to assess the feasibility, benefits, and costs  
4 associated with installing side underride guards on  
5 newly manufactured covered vehicles; and

6 (4) to develop performance standards for side  
7 underride guards for covered vehicles.

8 (c) REQUIREMENTS.—

9 (1) NUMBER OF COVERED VEHICLES.—

10 (A) TOTAL NUMBER OF COVERED VEHI-  
11 CLES IN THE PILOT PROGRAM.—The Secretary  
12 shall select 20 of each kind of covered vehicle  
13 described in subparagraphs (A) through (C) of  
14 subsection (a)(1) for participation in the pilot  
15 program.

16 (B) COVERED VEHICLES EQUIPPED WITH  
17 SIDE UNDERRIDE GUARDS.—Of the covered ve-  
18 hicles selected for participation in the pilot pro-  
19 gram under subparagraph (A), the Secretary  
20 shall equip 10 of each kind with side underride  
21 guards.

22 (2) SPECIFICATIONS OF SIDE UNDERRIDE  
23 GUARDS.—The Secretary shall determine the speci-  
24 fications of the side underride guards to be installed  
25 on covered vehicles under the pilot program.

1 (3) MONITORING OF COVERED VEHICLES.—

2 (A) IN GENERAL.—For each covered vehi-  
3 cle selected for participation in the pilot pro-  
4 gram under paragraph (1)(A), the Secretary  
5 shall—

6 (i) track—

7 (I) the number of trips taken by  
8 the covered vehicle during the dura-  
9 tion of the pilot program; and

10 (II) the number of miles traveled  
11 by the covered vehicle during the du-  
12 ration of the pilot program; and

13 (ii) monitor, in a manner determined  
14 to be appropriate by the Secretary, the op-  
15 erations of the covered vehicle.

16 (B) EVALUATION.—In evaluating the oper-  
17 ational details, benefits, and safety impacts of  
18 installing side underride guards on covered ve-  
19 hicles under this section, the Secretary shall  
20 compare the data obtained from the tracking  
21 and monitoring carried out under subparagraph  
22 (A) for the covered vehicles equipped with side  
23 underride guards under paragraph (1)(B) to  
24 the data obtained from that tracking and moni-

1           toring for the other covered vehicles selected for  
2           participation in the pilot program.

3           (4) DRIVER SURVEYS.—On completion of the  
4           pilot program, the Secretary shall provide to the  
5           driver of each covered vehicle equipped with side  
6           underride guards under paragraph (1)(B) a survey  
7           regarding any effects of the side underride guards.

8           (5) INSPECTIONS.—

9           (A) IN GENERAL.—During the pilot pro-  
10          gram, the Secretary shall require periodic in-  
11          spections of—

12                 (i) each covered vehicle selected for  
13                 participation in the pilot program under  
14                 paragraph (1)(A); and

15                 (ii) the side underride guards installed  
16                 on covered vehicles under paragraph  
17                 (1)(B).

18          (B) REQUIREMENT.—An inspection carried  
19          out under subparagraph (A) shall not be car-  
20          ried out by the driver of the covered vehicle or  
21          another driver.

22          (6) CRASH REPORTS.—The Secretary shall re-  
23          quire the driver of each covered vehicle equipped  
24          with a side underride guard under paragraph (1)(B)  
25          to submit to the Secretary a report on any crash in-

1       volving the covered vehicle in which a passenger  
2       motor vehicle or vulnerable road user interacted with  
3       the side underride guard.

4       (d) DURATION OF PILOT PROGRAM.—The duration  
5       of the pilot program shall be 180 days.

6       (e) CONTRACT LIMITATION.—If the Secretary enters  
7       into a contract with a third party to carry out the pilot  
8       program, the Secretary shall ensure that the third party  
9       does not have any financial or contractual ties to or rela-  
10      tionships with—

11             (1) a motor carrier;

12             (2) the motor carrier industry; or

13             (3) an entity producing or supplying underride  
14      guards.

15      (f) PUBLICATION OF ASSESSMENT.—Not later than  
16      90 days after completion of the pilot program, the Sec-  
17      retary shall—

18             (1) publish in the Federal Register a notice  
19      containing the assessment required under subsection

20      (b)(3); and

21             (2) provide an opportunity for public comment.

22      (g) REPORT ON PILOT PROGRAM.—Not later than 1  
23      year after the date on which the pilot program is com-  
24      pleted, the Secretary shall submit to Congress and make  
25      publicly available a report describing—

- 1           (1) the results of the pilot program;
- 2           (2) the assessment required under subsection
- 3           (b)(3); and
- 4           (3) a summary of any comments received by the
- 5           Secretary under subsection (f)(2).