

JUNE 22, 2020

RULES COMMITTEE PRINT 116–54

TEXT OF H.R. 2, THE MOVING FORWARD ACT

[Showing the text of H.R. 2, as ordered reported by the Committee on Transportation and Infrastructure, with modifications.]

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Moving Forward Act”.

3 SEC. 2. TABLE OF CONTENTS.

4 The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.

DIVISION A—FEDERAL SURFACE TRANSPORTATION PROGRAMS FOR FISCAL YEAR 2021

Sec. 100. Short title.
Sec. 101. Extension of Federal surface transportation programs.
Sec. 102. Federal Highway Administration.
Sec. 103. Federal Transit Administration.
Sec. 104. National Highway Traffic Safety Administration.
Sec. 105. Federal Motor Carrier Safety Administration.
Sec. 106. Definitions.

DIVISION B—SURFACE TRANSPORTATION

Sec. 1001. Applicability of division.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Program Conditions

Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation limitation.
Sec. 1103. Definitions and declaration of policy.
Sec. 1104. Apportionment.
Sec. 1105. Additional deposits into Highway Trust Fund.
Sec. 1106. Transparency.
Sec. 1107. Complete and context sensitive street design.
Sec. 1108. Innovative project delivery Federal share.
Sec. 1109. Transferability of Federal-aid highway funds.
Sec. 1110. Tolling.

1 (B) a crash-imminent braking function to
2 provide automatic braking when forward-look-
3 ing sensors of the vehicle indicate that—

4 (i) a crash is imminent; and

5 (ii) the operator of the vehicle is not
6 applying the brakes.

7 (2) COMMERCIAL MOTOR VEHICLE.—The term
8 “commercial motor vehicle” has the meaning given
9 such term in section 31101 of title 49, United
10 States Code.

11 **SEC. 4405. UNDERRIDE PROTECTION.**

12 (a) REAR UNDERRIDE GUARDS.—

13 (1) REAR GUARDS ON TRAILERS AND
14 SEMITRAILERS.—

15 (A) IN GENERAL.—Not later than 1 year
16 after the date of enactment of this Act, the Sec-
17 retary of Transportation shall issue such regu-
18 lations as are necessary to revise motor vehicle
19 safety standards under sections 571.223 and
20 571.224 of title 49, Code of Federal Regula-
21 tions, to require trailers and semi-trailers man-
22 ufactured after the date on which such regula-
23 tion is issued to be equipped with rear impact
24 guards that are designed to prevent passenger
25 compartment intrusion from a trailer or

1 semitrailer when a passenger vehicle traveling
2 at 35 miles per hour makes—

3 (i) an impact in which the passenger
4 vehicle impacts the center of the rear of
5 the trailer or semitrailer;

6 (ii) an impact in which 50 percent the
7 width of the passenger vehicle overlaps the
8 rear of the trailer or semitrailer; and

9 (iii) an impact in which 30 percent of
10 the width of the passenger vehicle overlaps
11 the rear of the trailer or semitrailer.

12 (B) EFFECTIVE DATE.—The rule issued
13 under subparagraph (A) shall require full com-
14 pliance with the motor carrier safety standard
15 prescribed in such rule not later than 2 years
16 after the date on which a final rule is issued.

17 (2) ADDITIONAL RESEARCH.—The Secretary
18 shall conduct additional research on the design and
19 development of rear impact guards that can prevent
20 underride crashes and protect motor vehicle pas-
21 sengers against severe injury at crash speeds of up
22 to 65 miles per hour.

23 (3) REVIEW OF STANDARDS.—Not later than 5
24 years after any revisions to standards or require-
25 ments related to rear impact guards pursuant to

1 paragraph (1), the Secretary shall review the stand-
2 ards or requirements to evaluate the need for
3 changes in response to advancements in technology
4 and upgrade such standards accordingly.

5 (4) INSPECTIONS.—

6 (A) IN GENERAL.—Not later than 1 year
7 after the date of enactment of this Act, the Sec-
8 retary shall issue such regulations as are nec-
9 essary to amend the regulations on minimum
10 periodic inspection standards under appendix G
11 to subchapter B of chapter III of title 49, Code
12 of Federal Regulations, and driver vehicle in-
13 spection reports under section 396.11 of title
14 49, Code of Federal Regulations, to include
15 rear impact guards and rear end protection (as
16 required by section 393.86 of title 49, Code of
17 Federal Regulations).

18 (B) CONSIDERATIONS.—In updating the
19 regulations described in subparagraph (A), the
20 Secretary shall consider it to be a defect or a
21 deficiency if a rear impact guard is missing or
22 has a corroded or compromised element that af-
23 fects the structural integrity and protective fea-
24 ture of such guard.

25 (b) SIDE UNDERRIDE GUARDS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary
3 shall—

4 (A) complete additional research on side
5 underride guards to better understand the over-
6 all effectiveness of such guards;

7 (B) assess the feasibility, benefits, and
8 costs associated with installing side underride
9 guards on newly manufactured trailers and
10 semitrailers with a gross vehicle weight rating
11 of 10,000 pounds or more; and

12 (C) if warranted, develop performance
13 standards for such guards.

14 (2) INDEPENDENT RESEARCH.—If the Sec-
15 retary enters into a contract with a third party to
16 perform the research required under paragraph
17 (1)(A), the Secretary shall ensure that such third
18 party does not have any financial or contractual ties
19 or relationship with a motor carrier that transports
20 passengers or property for compensation, the motor
21 carrier industry, or an entity producing or supplying
22 underride guards.

23 (3) PUBLICATION OF ASSESSMENT.—Not later
24 than 90 days after completing the assessment re-
25 quired under paragraph (1)(B), the Secretary shall

1 issue a notice in the Federal Register containing the
2 findings of the assessment and provide an oppor-
3 tunity for public comment.

4 (4) REPORT TO CONGRESS.—After the conclu-
5 sion of the public comment period under paragraph
6 (3), the Secretary shall submit to the Committee on
7 Transportation and Infrastructure of the House of
8 Representatives and the Committee on Commerce,
9 Science, and Transportation of the Senate a report
10 that provides—

11 (A) the results of the assessment under
12 this subsection;

13 (B) a summary of the public comments re-
14 ceived by the Secretary under paragraph (3);
15 and

16 (C) a determination as to whether the Sec-
17 retary intends to develop performance require-
18 ments for side underride guards, including any
19 analysis that led to such determination.

20 (c) ADVISORY COMMITTEE ON UNDERRIDE PROTEC-
21 TION.—

22 (1) ESTABLISHMENT.—Not later than 30 days
23 after the date of enactment of this Act, the Sec-
24 retary of Transportation shall establish an Advisory
25 Committee on Underride Protection (in this sub-

1 section referred to as the “Committee”) to provide
2 advice and recommendations to the Secretary on
3 safety regulations to reduce crashes and fatalities in-
4 volving truck underrides.

5 (2) REPRESENTATION.—

6 (A) IN GENERAL.—The Committee shall be
7 composed of not more than 20 members ap-
8 pointed by the Secretary who are not employees
9 of the Department of Transportation and who
10 are qualified to serve because of their expertise,
11 training, or experience.

12 (B) MEMBERSHIP.—Members shall include
13 2 representatives of each of the following:

- 14 (i) Truck and trailer manufacturers.
15 (ii) Motor carriers, including inde-
16 pendent owner-operators.
17 (iii) Law enforcement.
18 (iv) Motor vehicle engineers.
19 (v) Motor vehicle crash investigators.
20 (vi) Truck safety organizations.
21 (vii) The insurance industry.
22 (viii) Emergency medical service pro-
23 viders.
24 (ix) Families of underride crash vic-
25 tims.

1 (x) Labor organizations.

2 (3) COMPENSATION.—Members of the Com-
3 mittee shall serve without compensation.

4 (4) MEETINGS.—The Committee shall meet at
5 least annually.

6 (5) SUPPORT.—On request of the Committee,
7 the Secretary shall provide information, administra-
8 tive services, and supplies necessary for the Com-
9 mittee to carry out the duties described in para-
10 graph (1).

11 (6) REPORT.—The Committee shall submit to
12 the Committee on Transportation and Infrastructure
13 of the House of Representatives and the Committee
14 on Commerce, Science, and Transportation of the
15 Senate a biennial report that shall—

16 (A) describe the advice and recommenda-
17 tions made to the Secretary; and

18 (B) include an assessment of progress
19 made by the Secretary in advancing safety reg-
20 ulations.

21 (d) DATA COLLECTION.—Not later than 1 year after
22 the date of enactment of this Act, the Secretary shall im-
23 plement recommendations 1 and 2 described in the report
24 by the Government Accountability Office published on
25 March 14, 2019, titled “Truck Underride Guards: Im-

1 proved Data Collection, Inspections, and Research Need-
2 ed” (GAO–19–264).

3 **SEC. 4406. TRANSPORTATION OF HORSES.**

4 Section 80502 of title 49, United States Code, is
5 amended—

6 (1) in subsection (c) by striking “This section
7 does not” and inserting “Subsections (a) and (b)
8 shall not”;

9 (2) by redesignating subsection (d) as sub-
10 section (e);

11 (3) by inserting after subsection (c) the fol-
12 lowing:

13 “(d) TRANSPORTATION OF HORSES.—

14 “(1) PROHIBITION.—No person may transport,
15 or cause to be transported, a horse from a place in
16 a State, the District of Columbia, or a territory or
17 possession of the United States through or to a
18 place in another State, the District of Columbia, or
19 a territory or possession of the United States in a
20 motor vehicle containing 2 or more levels stacked on
21 top of each other.

22 “(2) MOTOR VEHICLE DEFINED.—In this sub-
23 section, the term ‘motor vehicle’—