

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure that every motor carrier entering the United States through the cross-border motor carrier demonstration program is inspected and meets all applicable safety standards established for United States commercial motor vehicles.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.

H. R. 3074

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CORNYN

Viz:

- 1 On page 70, between lines 20 and 21, insert the fol-
- 2 lowing:
- 3 SEC. 194. (a) Not less frequently than once every 3
- 4 months, the Secretary of Transportation shall inspect
- 5 every commercial motor vehicle authorized to enter the
- 6 United States through the demonstration program to en-
- 7 sure that every participating commercial motor vehicle

1 complies with all applicable safety standards established
2 for United States commercial motor vehicles.

3 (b) The Secretary of Transportation shall conduct an
4 on-site preauthorization safety audit of every motor car-
5 rier domiciled in Mexico that participates in the dem-
6 onstration program to ensure compliance with all applica-
7 ble safety standards established for motor carriers domi-
8 ciled in the United States.

9 (c) The Secretary of Transportation shall verify, at
10 the point of entry, the safety compliance of every motor
11 vehicle and motor vehicle operator that enters the United
12 States through the demonstration program to ensure that
13 every motor vehicle and motor vehicle operator meets all
14 applicable safety standards established for United States
15 commercial motor vehicles and motor vehicle operators.

16 (d)(1) Not later than 120 days after the commence-
17 ment of the demonstration program, the Inspector General
18 of the Department of Transportation shall submit a cer-
19 tification to Congress that the Secretary of Transportation
20 is in compliance with this section.

21 (2) No funds made available under this Act may be
22 used for the demonstration program if the Inspector Gen-
23 eral fails to submit the certification required under para-
24 graph (1).

1 (e)(1) Not later than 60 days before implementing
2 a cross-border motor carrier inspection program based on
3 the demonstration program, the Secretary of Transpor-
4 tation shall submit written notification that describes the
5 Secretary's intention to implement the inspection program
6 to—

7 (A) the Committee on Appropriations of the
8 Senate;

9 (B) the Committee on Commerce, Science, and
10 Transportation of the Senate;

11 (C) the Committee on Appropriations of the
12 House of Representatives; and

13 (D) the Committee on Transportation and In-
14 frastructure of the House of Representatives.

15 (2) The Secretary may not implement the inspection
16 program if Congress passes a law that terminates the pro-
17 gram.

18 (f) In this section—

19 (1) the term “commercial zones” means the
20 commercial zones along the international border be-
21 tween the United States and Mexico; and

22 (2) the term “demonstration program” means
23 the cross-border motor carrier demonstration pro-
24 gram that authorizes motor carriers domiciled in
25 Mexico to operate beyond the commercial zones

1 along the international border between the United
2 States and Mexico.

3 (g) Of the amounts appropriated for the Office of the
4 Secretary under this title, sufficient funds shall be made
5 available to the Secretary of Transportation to carry out
6 this section.