H. R. 3372

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

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SAFETY DATA COLLECTION PROGRAM FOR CERTAIN 6-AXLE VEHICLES.

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

“(x) PILOT PROGRAM FOR SAFETY DATA COLLECTION ON CERTAIN 6-AXLE VEHICLES.—
“(1) **GENERAL AUTHORITY.**—Not later than 30 days after the date of enactment of this subsection, the Secretary shall establish a pilot program (referred to in this subsection as the ‘pilot program’) under which States admitted by the Secretary under paragraph (2) may allow covered 6-axle vehicles to be operated on the Interstate System in the State.

“(2) **ADMISSION TO PILOT PROGRAM.**—

“(A) **INITIAL APPLICATION.**—Beginning on the date that is 30 days after the date of enactment of this subsection, a State seeking to participate in the pilot program shall submit an application to the Secretary in electronic form, containing such administrative information as the Secretary may require, including a certification that the State has or will have the authority pursuant to State law to implement the pilot program.

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

“(C) **ELECTION TO NO LONGER PARTICIPATE.**—If a State elects to no longer partici-
participate in the pilot program, the State shall notify the Secretary of such election.

“(3) MEANS OF IMPLEMENTATION.—

“(A) IN GENERAL.—To be eligible to participate in the pilot program, a State shall agree to implement the pilot program through the issuance of permits per vehicle or group of vehicles with respect to covered 6-axle vehicles.

“(B) PERMIT.—A permit described in subparagraph (A) shall—

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

“(ii) require the permit holder to report to the State, with respect to each covered 6-axle vehicle for which such permit was issued—

“(I) each accident (as such term is defined in section 390.5 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this subsection) that occurred in the State involving the covered 6-axle vehicle on the Interstate System in the State;
“(II) the estimated gross vehicle weight of each covered 6-axle vehicle at the time of an accident described in subclause (I); and

“(III) the estimated miles traveled by the covered 6-axle vehicle on the Interstate System in the State annually.

“(C) SAFETY EQUIPMENT INCENTIVE.—

“(i) Fee reduction.—With respect to any fee associated with a permit under this paragraph, the State may reduce the fee otherwise applicable to a vehicle by 67 percent if the vehicle is equipped with an automatic emergency braking system, including such systems in use on the date of enactment of this subsection.

“(ii) Group of vehicles.—As applied to a permit for a group of vehicles, the reduction under clause (i) shall only apply with respect to individual vehicles in the group that are equipped with an automatic emergency breaking system, including such systems in use on the date of enactment of this subsection.
“(4) Other authorizations not affected.—This subsection shall not restrict—

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

“(B) a State’s authority with respect to a vehicle that may operate under any other provision of this section or another Federal law.

“(5) No highway funding reduction.—Notwithstanding subsection (a), funds apportioned to a State under section 104 for any period may not be reduced because the State authorizes the operation of covered 6-axle vehicles within such State in accordance with this subsection.

“(6) Annual report.—Not later than the first March 1 after the date of enactment of this subsection, and annually thereafter, a State participating in the pilot program shall submit to the Secretary with respect to the previous calendar year, a report on—

“(A) the number of accidents (as such term is defined in section 390.5 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this subsection)) that occurred on the Interstate System in the State in—
volving a covered 6-axle vehicle for which a per-
mit was issued under the pilot program;

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

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

“(7) TERMINATION OF PILOT PROGRAM.—

“(A) IN GENERAL.—Except as provided in
subparagraph (B), the pilot program shall ter-
minate on the date that is 10 years after the
date of enactment of this subsection.

“(B) ADDITIONAL APPLICATION; CONTINU-
ATION OF AUTHORITY.—For a period of 10
years beginning on the date described in sub-
paragraph (A), the Secretary may continue the
pilot program with respect to each State in the
program, upon the application of a State and
after consideration of—

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

“(ii) any documents or other material
submitted by the State in support of such
an application.
“(8) COVERED 6-AXLE VEHICLE DEFINED.—In this subsection, the term ‘covered 6-axle vehicle’ means a vehicle—

“(A) equipped with 6 or more axles;

“(B) for which the weight—

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

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

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

“(C) for which the gross weight does not exceed the lesser of—

“(i) 91,000 pounds, including enforcement tolerances; and

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

“(D) that is not a longer combination vehicle, as such term is defined in subsection (d)(4).”.

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