

118TH CONGRESS
1ST SESSION

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.

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. SAFETY DATA COLLECTION PROGRAM FOR**
4 **CERTAIN 6-AXLE VEHICLES.**

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

7 “(x) PILOT PROGRAM FOR SAFETY DATA COLLEC-
8 TION ON CERTAIN 6-AXLE VEHICLES.—

1 “(1) GENERAL AUTHORITY.—Not later than 30
2 days after the date of enactment of this subsection,
3 the Secretary shall establish a pilot program (re-
4 ferred to in this subsection as the ‘pilot program’)
5 under which States admitted by the Secretary under
6 paragraph (2) may allow covered 6-axle vehicles to
7 be operated on the Interstate System in the State.

8 “(2) ADMISSION TO PILOT PROGRAM.—

9 “(A) INITIAL APPLICATION.—Beginning on
10 the date that is 30 days after the date of enact-
11 ment of this subsection, a State seeking to par-
12 ticipate in the pilot program shall submit an
13 application to the Secretary in electronic form,
14 containing such administrative information as
15 the Secretary may require, including a certifi-
16 cation that the State has or will have the au-
17 thority pursuant to State law to implement the
18 pilot program.

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

23 “(C) ELECTION TO NO LONGER PARTICI-
24 PATE.—If a State elects to no longer partici-

1 pate in the pilot program, the State shall notify
2 the Secretary of such election.

3 “(3) MEANS OF IMPLEMENTATION.—

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

9 “(B) PERMIT.—A permit described in sub-
10 paragraph (A) shall—

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

15 “(ii) require the permit holder to re-
16 port to the State, with respect to each cov-
17 ered 6-axle vehicle for which such permit
18 was issued—

19 “(I) each accident (as such term
20 is defined in section 390.5 of title 49,
21 Code of Federal Regulations, as in ef-
22 fect on the date of enactment of this
23 subsection) that occurred in the State
24 involving the covered 6-axle vehicle on
25 the Interstate System in the State;

1 “(II) the estimated gross vehicle
2 weight of each covered 6-axle vehicle
3 at the time of an accident described in
4 subclause (I); and

5 “(III) the estimated miles trav-
6 eled by the covered 6-axle vehicle on
7 the Interstate System in the State an-
8 nually.

9 “(C) SAFETY EQUIPMENT INCENTIVE.—

10 “(i) FEE REDUCTION.—With respect
11 to any fee associated with a permit under
12 this paragraph, the State may reduce the
13 fee otherwise applicable to a vehicle by 67
14 percent if the vehicle is equipped with an
15 automatic emergency braking system, in-
16 cluding such systems in use on the date of
17 enactment of this subsection.

18 “(ii) GROUP OF VEHICLES.—As ap-
19 plied to a permit for a group of vehicles,
20 the reduction under clause (i) shall only
21 apply with respect to individual vehicles in
22 the group that are equipped with an auto-
23 matic emergency braking system, includ-
24 ing such systems in use on the date of en-
25 actment of this subsection.

1 “(4) OTHER AUTHORIZATIONS NOT AF-
2 FECTED.—This subsection shall not restrict—

3 “(A) a vehicle that may operate under any
4 other provision of this section or another Fed-
5 eral law; or

6 “(B) a State’s authority with respect to a
7 vehicle that may operate under any other provi-
8 sion of this section or another Federal law.

9 “(5) NO HIGHWAY FUNDING REDUCTION.—Not-
10 withstanding subsection (a), funds apportioned to a
11 State under section 104 for any period may not be
12 reduced because the State authorizes the operation
13 of covered 6-axle vehicles within such State in ac-
14 cordance with this subsection.

15 “(6) ANNUAL REPORT.—Not later than the
16 first March 1 after the date of enactment of this
17 subsection, and annually thereafter, a State partici-
18 pating in the pilot program shall submit to the Sec-
19 retary with respect to the previous calendar year, a
20 report on—

21 “(A) the number of accidents (as such
22 term is defined in section 390.5 of title 49,
23 Code of Federal Regulations (as in effect on the
24 date of enactment of this subsection)) that oc-
25 curred on the Interstate System in the State in-

1 volving a covered 6-axle vehicle for which a per-
2 mit was issued under the pilot program;

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

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

8 “(7) TERMINATION OF PILOT PROGRAM.—

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

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

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

22 “(ii) any documents or other material
23 submitted by the State in support of such
24 an application.

1 “(8) COVERED 6-AXLE VEHICLE DEFINED.—In
2 this subsection, the term ‘covered 6-axle vehicle’
3 means a vehicle—

4 “(A) equipped with 6 or more axles;

5 “(B) for which the weight—

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

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

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

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

17 “(i) 91,000 pounds, including enforce-
18 ment tolerances; and

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

21 “(D) that is not a longer combination vehi-
22 cle, as such term is defined in subsection
23 (d)(4).”.

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