

Blackburn - 3 (as modified)

AMENDMENT NO. _____

Calendar No. _____

Purpose: To require a review of whether there have been systemic decisions by ocean common carriers to discriminate against the transportation of hazardous materials, and for other purposes.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 3580

To amend title 46, United States Code, with respect to prohibited acts by ocean common carriers or marine terminal operators, 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 Mrs. BLACKBURN to the amendment (No. _____) proposed by _____

Viz:

1 In lieu of the matter proposed to be inserted, insert
2 the following:

3 **SEC. 22. REVIEW OF POTENTIAL DISCRIMINATION AGAINST**

4 **TRANSPORTATION OF QUALIFIED HAZ-**

5 **ARDOUS MATERIALS.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of enactment of this Act, the Comptroller General
8 of the United States shall initiate a review of whether
9 there have been any systemic decisions by ocean common

1 carriers to discriminate against maritime transport of
2 qualified hazardous materials by unreasonably denying
3 vessel space accommodations, equipment, or other instru-
4 mentalities needed to transport such materials. The
5 Comptroller General shall take into account any applicable
6 safety and pollution regulations.

7 (b) CONSULTATION.—The Comptroller General of the
8 United States may consult with the Commandant of the
9 Coast Guard and the Chair of the Federal Maritime Com-
10 mission in conducting the review under this section.

11 (c) DEFINITIONS.—In this section:

12 (1) HAZARDOUS MATERIALS.—The term “haz-
13 arduous materials” includes dangerous goods, as de-
14 fined by the International Maritime Dangerous
15 Goods Code.

16 (2) OCEAN COMMON CARRIER.—The term
17 “ocean common carrier” has the meaning given such
18 term in section 40102 of title 46, United States
19 Code.

20 (3) QUALIFIED HAZARDOUS MATERIALS.—The
21 term “qualified hazardous materials” means haz-
22 arduous materials for which the shipper has certified
23 to the ocean common carrier that such materials
24 have been or will be tendered in accordance with ap-
25 plicable safety laws, including regulations.

1 (4) SHIPPER.—The term “shipper” has the
2 meaning given such term in section 40102 of title
3 46, United States Code.