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PAT21590 W4J

S.L.C.

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To modify certain agricultural exemptions for hours of service requirements.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.**

**S. 2016**

To authorize elements of the Department of Transportation, 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. FISCHER (for herself, Mr. TESTER, Mrs. BLACKBURN, Mr. CRUZ, Mr. MORAN, Mr. BLUNT, Ms. LUMMIS, Mrs. CAPITO, and Mr. THUNE)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . TRANSPORTATION OF AGRICULTURAL COM-**  
3 **MODITIES AND FARM SUPPLIES.**

4 (a) IN GENERAL.—Section 229 of the Motor Carrier  
5 Safety Improvement Act of 1999 (49 U.S.C. 31136 note;  
6 Public Law 106–159) is amended—

7 (1) in subsection (a)(1)—

8 (A) in the matter preceding subparagraph

9 (A), by striking “during planting and harvest

10 periods, as determined by each State,”; and

1 (B) by striking subparagraph (A) and in-  
2 serting the following:

3 “(A) drivers transporting agricultural com-  
4 modities within a 150 air-mile radius from—

5 “(i) the source of the agricultural  
6 commodities; or

7 “(ii) the destination of the agricul-  
8 tural commodities;”; and

9 (2) in subsection (e)(8), by striking “during the  
10 planting and harvesting seasons within each State,  
11 as determined by the State, and livestock feed at  
12 any time of the year” and inserting “and livestock  
13 feed”.

14 (b) DEFINITION OF AGRICULTURAL COMMODITY.—

15 (1) IN GENERAL.—Section 229(e) of the Motor  
16 Carrier Safety Improvement Act of 1999 (49 U.S.C.  
17 31136 note; Public Law 106–159) is amended by  
18 striking paragraph (7) and inserting the following:

19 “(7) AGRICULTURAL COMMODITY.—The term  
20 ‘agricultural commodity’ has the meaning given the  
21 term in section 395.2 of title 49, Code of Federal  
22 Regulations (or a successor regulation).”.

23 (2) RULEMAKING.—Not later than 180 days  
24 after the date of enactment of this Act, the Sec-  
25 retary shall revise the definition of the term “agri-

1 cultural commodity” in section 395.2 of title 49,  
2 Code of Federal Regulations, to include—

3 (A) any nonprocessed product planted or  
4 harvested for food, feed, fuel, or fiber;

5 (B)(i) any nonhuman living animal, includ-  
6 ing—

7 (I) fish;

8 (II) insects; and

9 (III) livestock (as defined in section  
10 602 of the Emergency Livestock Feed As-  
11 sistance Act of 1988 (7 U.S.C. 1471)); and

12 (ii) the nonprocessed products of any  
13 nonhuman living animal, including—

14 (I) milk;

15 (II) eggs; and

16 (III) honey;

17 (C) nonprocessed forestry, aquacultural,  
18 horticultural, and floricultural commodities;

19 (D) fresh or minimally processed fruits  
20 and vegetables, including fruits and vegetables  
21 that are rinsed, cooled, cut, ripened, or other-  
22 wise minimally processed, as determined by the  
23 Secretary; and

24 (E) animal feed, including the ingredients  
25 of animal feed.