

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

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.**

**S. 2086**

To address current emergency shortages of propane and other home heating fuels and to provide greater flexibility and information for Governors to address such emergencies in the future.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. THUNE

Viz:

- 1 Strike all after the enacting clause and insert the fol-
- 2 lowing:
- 3 **SECTION 1. SHORT TITLE.**
- 4 This Act may be cited as the “Reliable Home Heating
- 5 Act”.

1 **SEC. 2. AUTHORITY TO EXTEND EMERGENCY DECLARA-**  
2 **TIONS FOR PURPOSES OF TEMPORARILY EX-**  
3 **EMPTING MOTOR CARRIERS PROVIDING**  
4 **EMERGENCY RELIEF FROM CERTAIN SAFETY**  
5 **REGULATIONS.**

6 (a) **DEFINED TERM.**—In this Act, the term “residen-  
7 tial heating fuel” includes—

- 8 (1) heating oil;  
9 (2) natural gas; and  
10 (3) propane.

11 (b) **AUTHORIZATION.**—If the Governor of a State de-  
12 clares a state of emergency caused by a shortage of resi-  
13 dential heating fuel and, at the conclusion of the initial  
14 30-day emergency period (or a second 30-day emergency  
15 period authorized under this subsection), the Governor de-  
16 termines that the emergency shortage has not ended, any  
17 extension of such state of emergency by the Governor, up  
18 to 2 additional 30-day periods, shall be recognized by the  
19 Federal Motor Carrier Safety Administration as a period  
20 during which parts 390 through 399 of chapter III of title  
21 49, Code of Federal Regulations, shall not apply to any  
22 motor carrier or driver operating a commercial motor vehi-  
23 cle to provide residential heating fuel in the geographic  
24 area so designated as under a state of emergency.

25 (c) **RULEMAKING.**—The Secretary of Transportation  
26 shall amend section 390.23(a)(1)(ii) of title 49, Code of

1 Federal Regulations, to conform to the provision set forth  
2 in subsection (b).

3 (d) SAVINGS PROVISION.—Nothing in this section  
4 may be construed to modify the authority granted to the  
5 Federal Motor Carrier Safety Administration’s Field Ad-  
6 ministrator under section 390.23(a) of title 49, Code of  
7 Federal Regulations, to offer temporary exemptions from  
8 parts 390 through 399 of such title.

9 **SEC. 3. ENERGY INFORMATION ADMINISTRATION NOTIFI-**  
10 **CATION REQUIREMENT.**

11 The Administrator of the Energy Information Ad-  
12 ministration, using data compiled from the Administra-  
13 tion’s Weekly Petroleum Status Reports, shall notify the  
14 Governor of each State in a Petroleum Administration for  
15 Defense District if the inventory of residential heating fuel  
16 within such district has been below the most recent 5-year  
17 average for more than 3 consecutive weeks.

18 **SEC. 4. REVIEW.**

19 Not later than 12 months after the date of enactment  
20 of this Act, the Secretary of Transportation shall conduct  
21 a study of, and transmit to the Committee on Commerce,  
22 Science, and Transportation of the Senate and the Com-  
23 mittee on Transportation and Infrastructure of the House  
24 of Representatives, a report on the impacts of safety from  
25 the extensions issued by Governors according to this Act.

1 In conducting the study, the Secretary shall review, at a  
2 minimum—

3 (1) the safety implications of extending exemp-  
4 tions; and

5 (2) a review of the exemption process to ensure  
6 clarity and efficiency during emergencies.