

AMENDMENT NO. _____ Calendar No. _____

Purpose: To establish a pilot program for teenaged drivers.

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
Cantwell 1 (modified) to the amendment (No. 1) pro-
posed by Mr. YOUNG

Viz:

1 Beginning on page 1 of the amendment, strike line
2 2 and all that follows through page 8, line 16, and insert
3 the following:

4 **SEC. _____. APPRENTICESHIP PILOT PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) APPRENTICE.—The term “apprentice”
7 means an individual who—

8 (A) is under the age of 21; and

9 (B) holds a commercial driver’s license.

10 (2) COMMERCIAL DRIVER’S LICENSE.—The
11 term “commercial driver’s license” has the meaning

1 given the term in section 31301 of title 49, United
2 States Code.

3 (3) COMMERCIAL MOTOR VEHICLE.—The term
4 “commercial motor vehicle” has the meaning given
5 the term in section 390.5 of title 49, Code of Fed-
6 eral Regulations (as in effect on the date of enact-
7 ment of this Act).

8 (4) DRIVING TIME.—The term “driving time”
9 has the meaning given the term in section 395.2 of
10 title 49, Code of Federal Regulations (as in effect on
11 the date of enactment of this Act).

12 (5) EXPERIENCED DRIVER.—The term “experi-
13 enced driver” means an individual who—

14 (A) is not younger than 26 years of age;

15 (B) has held a commercial driver’s license
16 for the 2-year period ending on the date on
17 which the individual serves as an experienced
18 driver under subsection (b)(2)(C)(ii);

19 (C) during the 2-year period ending on the
20 date on which the individual serves as an experi-
21 enced driver under subsection (b)(2)(C)(ii),
22 has had no—

23 (i) preventable accidents reportable to
24 the Department; or

25 (ii) pointed moving violations; and

1 (D) has a minimum of 5 years of experi-
2 ence driving a commercial motor vehicle in
3 interstate commerce.

4 (6) ON-DUTY TIME.—The term “on-duty time”
5 has the meaning given the term in section 395.2 of
6 title 49, Code of Federal Regulations (as in effect on
7 the date of enactment of this Act).

8 (7) POINTED MOVING VIOLATION.—The term
9 “pointed moving violation” means a violation that
10 results in points being added to the license of a driv-
11 er, or a similar comparable violation, as determined
12 by the Secretary.

13 (b) PILOT PROGRAM.—

14 (1) IN GENERAL.—Not later than 60 days after
15 the date of enactment of this Act, the Secretary
16 shall establish, in accordance with section 31315(e)
17 of title 49, United States Code, a pilot program al-
18 lowing employers to establish the apprenticeship pro-
19 grams described in paragraph (2).

20 (2) DESCRIPTION OF APPRENTICESHIP PRO-
21 GRAM.—An apprenticeship program referred to in
22 paragraph (1) is a program that consists of the fol-
23 lowing requirements:

24 (A) 120-HOUR PROBATIONARY PERIOD.—

1 (i) IN GENERAL.—The apprentice
2 shall complete 120 hours of on-duty time,
3 of which not less than 80 hours shall be
4 driving time in a commercial motor vehicle.

5 (ii) PERFORMANCE BENCHMARKS.—
6 To complete the 120-hour probationary pe-
7 riod under clause (i), the employer of an
8 apprentice shall determine that the appren-
9 tice is competent in each of the following
10 areas:

11 (I) Interstate, city traffic, rural
12 2-lane, and evening driving.

13 (II) Safety awareness.

14 (III) Speed and space manage-
15 ment.

16 (IV) Lane control.

17 (V) Mirror scanning.

18 (VI) Right and left turns.

19 (VII) Logging and complying
20 with rules relating to hours of service.

21 (B) 280-HOUR PROBATIONARY PERIOD.—

22 (i) IN GENERAL.—After completing
23 the 120-hour probationary period under
24 subparagraph (A), an apprentice shall
25 complete 280 hours of on-duty time, of

1 which not less than 160 hours shall be
2 driving time in a commercial motor vehicle.

3 (ii) PERFORMANCE BENCHMARKS.—

4 To complete the 280-hour probationary pe-
5 riod under clause (i), the employer of an
6 apprentice shall determine that the appren-
7 tice is competent in each of the following
8 areas:

9 (I) Backing and maneuvering in
10 close quarters.

11 (II) Pretrip inspections.

12 (III) Fueling procedures.

13 (IV) Weighing loads, weight dis-
14 tribution, and sliding tandems.

15 (V) Coupling and uncoupling pro-
16 cedures.

17 (VI) Trip planning, truck routes,
18 map reading, navigation, and permits.

19 (C) RESTRICTIONS FOR PROBATIONARY
20 PERIODS.—During the 120-hour probationary
21 period under subparagraph (A) and the 280-
22 hour probationary period under subparagraph
23 (B)—

24 (i) an apprentice may only drive a
25 commercial motor vehicle that has—

1 (I) an automatic manual or auto-
2 matic transmission;

3 (II) an active braking collision
4 mitigation system;

5 (III) a forward-facing video event
6 capture system; and

7 (IV) a governed speed of 65
8 miles per hour—

9 (aa) at the pedal; and

10 (bb) under adaptive cruise
11 control; and

12 (ii) an apprentice shall be accom-
13 panied in the passenger seat of the com-
14 mercial motor vehicle by an experienced
15 driver.

16 (D) RECORDS RETENTION.—The employer
17 of an apprentice shall maintain records, in a
18 manner required by the Secretary, relating to
19 the satisfaction of the performance benchmarks
20 described in subparagraphs (A)(ii) and (B)(ii)
21 by the apprentice.

22 (E) REPORTABLE INCIDENTS.—If an ap-
23 prentice is involved in a preventable accident re-
24 reportable to the Department or a pointed moving
25 violation while driving a commercial motor vehi-

1 cle as part of an apprenticeship program de-
2 scribed in this paragraph, the apprentice shall
3 undergo remediation and additional training
4 until the apprentice can demonstrate, to the
5 satisfaction of the employer, competence in each
6 of the performance benchmarks described in
7 subparagraphs (A)(ii) and (B)(ii).

8 (F) COMPLETION OF PROGRAM.—An ap-
9 prentice shall be considered to have completed
10 an apprenticeship program on the date on
11 which the apprentice completes the 280-hour
12 probationary period under subparagraph (B).

13 (G) MINIMUM REQUIREMENTS.—

14 (i) IN GENERAL.—Nothing in this sec-
15 tion prevents an employer from imposing
16 any additional requirement on an appren-
17 tice participating in an apprenticeship pro-
18 gram established under this section.

19 (ii) TECHNOLOGIES.—Nothing in this
20 section prevents an employer from requir-
21 ing or installing in a commercial motor ve-
22 hicle any technology in addition to the
23 technologies described in subparagraph
24 (C)(i).

25 (3) APPRENTICES.—An apprentice may—

1 (A) drive a commercial motor vehicle in
2 interstate commerce while participating in the
3 120-hour probationary period under paragraph
4 (2)(A) or the 280-hour probationary period
5 under paragraph (2)(B) pursuant to an appren-
6 ticeship program established by an employer in
7 accordance with this section; and

8 (B) drive a commercial motor vehicle in
9 interstate commerce after the apprentice com-
10 pletes an apprenticeship program described in
11 paragraph (2), unless the Secretary determines
12 there exists a safety concern.

13 (4) LIMITATION.—The Secretary may not allow
14 more than 3,000 apprentices at any 1 time to par-
15 ticipate in the pilot program established under para-
16 graph (1).

17 (c) TERMINATION.—Effective beginning on the date
18 that is 3 years after the date of establishment of the pilot
19 program under subsection (b)(1)—

20 (1) the pilot program shall terminate; and

21 (2) any driver under the age of 21 who has
22 completed an apprenticeship program described in
23 subsection (b)(2) may drive a commercial motor ve-
24 hicle in interstate commerce, unless the Secretary
25 determines there exists a safety concern.

1 (d) NO EFFECT ON LICENSE REQUIREMENT.—Noth-
2 ing in this section exempts an apprentice from any re-
3 quirement to hold a commercial driver's license in order
4 to operate a commercial motor vehicle.

5 (e) DATA COLLECTION.—The Secretary shall collect
6 and analyze—

7 (1) data relating to any incident in which an
8 apprentice participating in the pilot program estab-
9 lished under subsection (b)(1) is involved;

10 (2) data relating to any incident in which a
11 driver under the age of 21 operating a commercial
12 motor vehicle in intrastate commerce is involved; and

13 (3) such other data relating to the safety of ap-
14 prentices aged 18 to 20 years operating in interstate
15 commerce as the Secretary determines to be nec-
16 essary.

17 (f) LIMITATION.—A driver under the age of 21 par-
18 ticipating in the pilot program under this section may
19 not—

20 (1) transport—

21 (A) a passenger; or

22 (B) hazardous cargo; or

23 (2) operate a commercial motor vehicle—

24 (A) in special configuration; or

1 (B) with a gross vehicle weight rating of
2 more than 80,000 pounds.

3 (g) REPORT TO CONGRESS.—Not later than 120 days
4 after the date of conclusion of the pilot program under
5 subsection (b), the Secretary shall submit to Congress a
6 report including—

7 (1) the findings and conclusions resulting from
8 the pilot program, including with respect to tech-
9 nologies or training provided by commercial motor
10 carriers for apprentices as part of the pilot program
11 to successfully improve safety;

12 (2) an analysis of the safety record of appren-
13 tices participating in the pilot program, as compared
14 to other commercial motor vehicle drivers;

15 (3) the number of drivers that discontinued
16 participation in the apprenticeship program before
17 completion;

18 (4) a comparison of the safety records of par-
19 ticipating drivers before, during, and after the pro-
20 bationary periods under subparagraphs (A) and (B)
21 of subsection (b)(2);

22 (5) a comparison, for each participating driver,
23 of average on-duty time, driving time, and time
24 spent away from home terminal before, during, and

1 after the probationary periods referred to in para-
2 graph (4); and

3 (6) a recommendation, based on the data col-
4 lected, regarding whether the level of safety achieved
5 by the pilot program is equivalent to, or greater
6 than, the level of safety for equivalent commercial
7 motor vehicle drivers aged 21 years or older.

8 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion affects the authority of the Secretary under section
10 31315 of title 49, United States Code, with respect to the
11 pilot program established under subsection (b)(1), includ-
12 ing the authority to revoke participation in, and terminate,
13 the pilot program under paragraphs (3) and (4) of sub-
14 section (c) of that section.

15 (i) DRIVER COMPENSATION STUDY.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this Act, the Secretary, act-
18 ing through the Administrator of the Federal Motor
19 Carrier Safety Administration, shall offer to enter
20 into a contract with the Transportation Research
21 Board under which the Transportation Research
22 Board shall conduct a study of the impacts of var-
23 ious methods of driver compensation on safety and
24 driver retention, including—

25 (A) hourly pay;

1 (B) payment for detention time; and

2 (C) other payment methods used in the in-
3 dustry as of the date on which the study is con-
4 ducted.

5 (2) CONSULTATION.—In conducting the study
6 under paragraph (1), the Transportation Research
7 Board shall consult with—

8 (A) labor organizations representing com-
9 mercial motor vehicle drivers;

10 (B) representatives of the motor carrier in-
11 dustry, including owner-operators; and

12 (C) such other stakeholders as the Trans-
13 portation Research Board determines to be rel-
14 evant.