

117TH CONGRESS
1ST SESSION

H. R. 1745

To direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2021

Mr. HOLLINGSWORTH (for himself, Mr. CUELLAR, Ms. SLOTKIN, Mr. LAHOOD, Mr. WESTERMAN, Mr. COOPER, Mr. BALDERSON, Mr. GOLDEN, and Mrs. HINSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, 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. SHORT TITLE.**

4 This Act may be cited as the “Developing Respon-
5 sible Individuals for a Vibrant Economy Act” or the
6 “DRIVE-SAFE Act”.

7 **SEC. 2. APPRENTICESHIP PROGRAM FOR COMMERCIAL**
8 **DRIVERS UNDER THE AGE OF 21.**

9 (a) DEFINITIONS.—In this section:

1 (1) APPRENTICE.—The term “apprentice”
2 means an employee under the age of 21 who holds
3 a commercial driver’s license required to operate a
4 class of vehicles described in part 383 of title 49,
5 Code of Federal Regulations.

6 (2) COMMERCIAL DRIVER’S LICENSE.—The
7 term “commercial driver’s license” has the meaning
8 given the term in section 31301 of title 49, United
9 States Code.

10 (3) COMMERCIAL MOTOR VEHICLE.—The term
11 “commercial motor vehicle” means a commercial
12 motor vehicle that meets the definition under para-
13 graph (1) or (4) of the definition of the term “com-
14 mercial motor vehicle” in section 390.5 of title 49,
15 Code of Federal Regulations (as in effect on the
16 date of enactment of this Act).

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

21 (5) EMPLOYEE.—The term “employee” has the
22 meaning given such term in section 31132 of title
23 49, United States Code.

1 (6) EMPLOYER.—The term “employer” has the
2 meaning given such term in section 31132 of title
3 49, United States Code.

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

6 (A) is not less than 21 years of age;

7 (B) has held a commercial driver’s license
8 for the 2-year period ending on the date on
9 which the individual serves as an experienced
10 driver under subsection (c)(3)(B);

11 (C) has had no preventable accidents re-
12 portable to the Department of Transportation
13 or pointed moving violations during the 1-year
14 period ending on the date on which the indi-
15 vidual serves as an experienced driver under
16 subsection (c)(3)(B); and

17 (D) has a minimum of 2 years of experi-
18 ence driving a commercial motor vehicle in
19 interstate commerce.

20 (8) ON-DUTY TIME.—The term “on-duty time”
21 has the meaning given the term in section 395.2 of
22 title 49, Code of Federal Regulations (as in effect on
23 the date of enactment of this Act).

24 (9) POINTED MOVING VIOLATION.—The term
25 “pointed moving violation” means a violation that

1 results in points being added to the license of a driv-
2 er, or a similar comparable violation, as determined
3 by the Secretary.

4 (10) SECRETARY.—The term “Secretary”
5 means the Secretary of Transportation.

6 (b) APPRENTICE.—An apprentice may—

7 (1) drive a commercial motor vehicle in inter-
8 state commerce while taking part in the 120-hour
9 probationary period under subsection (c)(1) or the
10 280-hour probationary period under subsection
11 (c)(2), pursuant to an apprenticeship program estab-
12 lished by an employer in accordance with this sec-
13 tion; and

14 (2) drive a commercial motor vehicle in inter-
15 state commerce after the apprentice completes an
16 apprenticeship program described in paragraph (1).

17 (c) APPRENTICESHIP PROGRAM.—An apprenticeship
18 program referred to in subsection (b) is a program that
19 consists of the following requirements:

20 (1) 120-HOUR PROBATIONARY PERIOD.—

21 (A) IN GENERAL.—The apprentice shall
22 complete 120 hours of on-duty time, of which
23 not less than 80 hours are driving time in a
24 commercial motor vehicle.

1 (B) PERFORMANCE BENCHMARKS.—In
2 order to complete the 120-hour probationary
3 period under subparagraph (A), an employer
4 shall determine that the apprentice is com-
5 petent in each of the following areas:

6 (i) Interstate, city traffic, rural 2-
7 lane, and evening driving.

8 (ii) Safety awareness.

9 (iii) Speed and space management.

10 (iv) Lane control.

11 (v) Mirror scanning.

12 (vi) Right and left turns.

13 (vii) Logging and complying with
14 rules relating to hours of service.

15 (2) 280-HOUR PROBATIONARY PERIOD.—

16 (A) IN GENERAL.—After completing the
17 120-hour probationary period under paragraph
18 (1), the apprentice shall complete 280 hours of
19 on-duty time, of which not less than 160 hours
20 are driving time in a commercial motor vehicle.

21 (B) PERFORMANCE BENCHMARKS.—In
22 order to complete the 280-hour probationary
23 period under subparagraph (A), an employer
24 shall determine that the apprentice is com-
25 petent in each of the following areas:

1 (i) Backing and maneuvering in close
2 quarters.

3 (ii) Pre-trip inspections.

4 (iii) Fueling procedures.

5 (iv) Weighing loads, weight distribu-
6 tion, and sliding tandems.

7 (v) Coupling and uncoupling proce-
8 dures.

9 (vi) Trip planning, truck routes, map
10 reading, navigation, and permits.

11 (3) RESTRICTIONS FOR 120-HOUR AND 280-
12 HOUR PROBATIONARY PERIODS.—During the 120-
13 hour probationary period under paragraph (1) and
14 the 280-hour probationary period under paragraph
15 (2)—

16 (A) the apprentice may only drive a com-
17 mercial motor vehicle that has—

18 (i) automatic manual or automatic
19 transmissions;

20 (ii) active braking collision mitigation
21 systems;

22 (iii) forward-facing video event cap-
23 ture; and

1 (iv) governed speeds of 65 miles per
2 hour at the pedal and 65 miles per hour
3 under adaptive cruise control; and

4 (B) the apprentice shall be accompanied in
5 the cab of the commercial motor vehicle by an
6 experienced driver.

7 (4) RECORDS RETENTION.—The employer shall
8 maintain records, in a manner required by the Sec-
9 retary, relating to the satisfaction of the require-
10 ments of paragraphs (1)(B) and (2)(B) by the ap-
11 prentice.

12 (5) REPORTABLE INCIDENTS.—If the appren-
13 tice is involved in a preventable accident reportable
14 to the Department of Transportation or a pointed
15 moving violation while driving a commercial motor
16 vehicle as part of an apprenticeship program de-
17 scribed in this subsection, the apprentice shall un-
18 dergo remediation and additional training until the
19 apprentice can demonstrate, to the satisfaction of
20 the employer, competence in each of the performance
21 benchmarks described in paragraphs (1)(B) and
22 (2)(B).

23 (6) COMPLETION OF PROGRAM.—The appren-
24 tice shall be considered to have completed the ap-
25 prenticeship program on the date on which the ap-

1 prentice completes the 280-hour probationary period
2 under paragraph (2).

3 (7) MINIMUM REQUIREMENTS.—

4 (A) IN GENERAL.—Nothing in this Act
5 prevents an employer from imposing additional
6 requirements on an apprentice taking part in
7 an apprenticeship program established pursuant
8 to this section.

9 (B) TECHNOLOGIES.—Nothing in this Act
10 prevents an employer from requiring or install-
11 ing additional technologies in a commercial
12 motor vehicle in addition to the technologies de-
13 scribed in paragraph (3)(A).

14 (d) REGULATIONS.—Not later than 1 year after the
15 date of enactment of this Act, the Secretary shall promul-
16 gate regulations to implement this Act.

17 (e) NO EFFECT ON LICENSE REQUIREMENT.—Noth-
18 ing in this Act exempts an apprentice from any require-
19 ment to hold a commercial driver's license in order to op-
20 erate a commercial motor vehicle.

21 (f) EMPLOYER RESPONSIBILITY.—An employer shall
22 not knowingly allow, require, permit, or authorize a driver
23 under the age of 21 to operate a commercial motor vehicle
24 in interstate commerce unless the driver is participating

- 1 in or has completed an apprenticeship program that meets
- 2 the requirements of subsection (c).

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