

117TH CONGRESS
1ST SESSION

H. R. 358

To require the Secretary of Transportation to modify regulations concerning hours of service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2021

Mr. STEUBE introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require the Secretary of Transportation to modify regulations concerning hours of service, 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 “Freedom from Regu-
5 lating Edible Supplies and Horticulture Trucking Act” or
6 the “FRESH Trucking Act”.

7 **SEC. 2. MODIFICATION OF HOURS OF SERVICE REGULA-**
8 **TIONS.**

9 Not later than 90 days after the date of enactment
10 of this Act, the Secretary shall amend part 395 of title

1 49, Code of Federal Regulations, to establish that, with
2 respect to a motor carrier or driver transporting any agri-
3 cultural, horticultural, or floricultural commodity (includ-
4 ing both fresh and processed products, as well as sod and
5 other agricultural products sensitive to temperature and
6 climate and at the risk of perishing in transit)—

7 (1) loading and unloading of commercial motor
8 vehicles shall be excluded from on-duty time require-
9 ments;

10 (2) there shall be no requirement of a 30-
11 minute rest break within the first 8 hours of the
12 hours of service on-duty requirements and such car-
13 rier or driver may take breaks at any time during
14 trip; and

15 (3) such carrier or driver may complete a
16 scheduled trip if they are over the hours of service
17 maximum on-duty drive schedule and are within 150
18 miles of their scheduled delivery point.

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