

UNIFORM TRUCK SAFETY FITNESS STANDARD ACT OF 2015

SECTION 1. SHORT TITLE.

This Act may be cited as the “Uniform Truck Safety Fitness Standard Act of 2015”.

SECTION 2. CONGRESSIONAL FINDINGS.

In order to:

- (a) Ensure fair competition in the motor carrier industry and enhance interstate commerce;
- (b) Establish uniform standards for selection and use of regulated interstate motor carriers;
- (c) Prevent market distortion through misuse of inaccurate and statistically unsound data concerning a motor carrier’s safety record; and
- (d) Eliminate vexatious litigation over motor carrier safety standards in connection with third party casualty claims;

BE IT RESOLVED that in accordance with Section 31144 of 49 U.S.C., the Secretary of Transportation shall only publish the ultimate safety fitness determination for each carrier as the sole standard for such carrier’s fitness to operate on the nation’s roadways and the sole standard for such carrier’s safety fitness for public use.

UNIFORM TRUCK SAFETY FITNESS STANDARD ACT OF 2015**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Uniform Truck Safety Fitness Standard Act of 2015”.

SECTION 2. CONGRESSIONAL FINDINGS.

In order to ensure fair competition in the motor carrier industry and enhance interstate commerce, it is necessary to –

- (a) Establish uniform standards for selection and use of regulated interstate motor carriers;
- (b) Prevent market distortion through misuse of inaccurate, outdated, non-uniform and statistically unsound data concerning a motor carrier’s safety record; and
- (c) Eliminate vexatious litigation over motor carrier safety standards in connection with third party casualty claims.

SECTION 3. NATIONAL SAFETY STANDARD FOR SELECTION AND USE OF MOTOR CARRIERS.

Paragraphs (a) through (d) of this Section 3 shall become effective on the date of enactment of this Act.

- (a) Limitation on Claims under State Law. A State may not enforce a law or impose legal liability on an entity that retains, engages or arranges for the services of a motor carrier if (i) such liability would arise from a claim or cause of action related to the selection or use of such carrier under common law, statutory law, or any rule, regulation or standard having the force of law, (ii) the claim or cause of action alleges personal injury, death or property damage caused by such carrier, and (iii) the carrier is a covered carrier as defined in Paragraph 3(d) of this Act.
- (b) Limitation on Data Use. Data and analysis collected by federal and state agencies for use in arriving at the ultimate safety fitness determination for a motor carrier under Section 31144 of Title 49, United States Code, shall not be published or used as an alternative standard for evaluating safety fitness of a motor carrier under federal or state law, and shall not be admitted in evidence or otherwise used in a civil action for damages arising from an incident involving a covered carrier.
- (c) Federal Preemption. For purposes of clarity, the exceptions to federal preemption for the safety regulatory authority of a State with respect to motor vehicles contained in Sections 14501(c)(2)(A) and 41713(b)(4)(B)(i) of Title 49, United States Code shall not be construed, in connection with a state law cause of action, as a basis for (i) making an alternative safety fitness determination under state law with respect to a covered carrier or (ii) applying any standard for selection and use of a covered carrier other than a federal safety fitness determination under Section 31144 of Title 49, United States Code.
- (d) Definition. For purposes of Section 3 of this Act, a “covered carrier” is a motor carrier that is licensed, authorized and insured to operate on the Nation’s roadways pursuant to Section 31144 of Title 49, United States Code.