

111TH CONGRESS  
1ST SESSION

# H. R. 3275

To amend the definition of commercial motor vehicle in section 31101 of title 49, United States Code, to exclude certain farm vehicles, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2009

Ms. MARKEY of Colorado (for herself and Mr. SMITH of Nebraska) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the definition of commercial motor vehicle in section 31101 of title 49, United States Code, to exclude certain farm vehicles, 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. DEFINITION OF COMMERCIAL MOTOR VEHI-**  
4 **CLE.**

5 Section 31101(1)(A) of title 49, United States Code,  
6 is amended to read as follows:

7 “(A)(i) except as provided in clause (ii),  
8 has a gross vehicle weight rating or gross vehi-

1           ele weight of at least 10,001 pounds, whichever  
2           is greater; or

3                   “(ii) in the case of a vehicle with farm-des-  
4           ignated license plates that is engaged in the  
5           transportation of agricultural commodities or  
6           farm supplies or a vehicle that is controlled by  
7           a farmer and used to transport agricultural  
8           commodities or farm supplies to or from a  
9           farm, has a gross vehicle weight rating or gross  
10          vehicle weight the greater of which exceeds the  
11          minimum weight of a commercial motor vehicle  
12          established by the State in which it is being op-  
13          erated;”.

14 **SEC. 2. PRESERVATION OF GRANTS FOR STATES THAT IN-**  
15                   **CREASE THE MINIMUM WEIGHT FOR COM-**  
16                   **MERCIAL MOTOR VEHICLES.**

17          Section 31102 of title 49, United States Code, is  
18          amended—

19                   (1) by redesignating subsection (e) as sub-  
20          section (f); and

21                   (2) by inserting after subsection (d) the fol-  
22          lowing:

23          “(e) **PRESERVATION OF GRANTS FOR STATES THAT**  
24          **INCREASE THE MINIMUM WEIGHT FOR COMMERCIAL**  
25          **MOTOR VEHICLES.**—The Secretary may not withhold

1 grant funding from a State under this section solely be-  
2 cause the State authorizes drivers of vehicles engaged in  
3 the transportation of agricultural commodities or farm  
4 supplies that have a gross vehicle weight of more than  
5 10,000 pounds and less than 26,001 pounds, to operate  
6 without complying with Federal regulations relating to  
7 commercial motor vehicles.”.

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