

116TH CONGRESS
1ST SESSION

S. 3005

To require the Secretary of Transportation to promulgate standards and regulations requiring all new commercial motor vehicles to be equipped with technology to limit maximum operating speed, to require existing speed-limiting technologies already installed in commercial motor vehicles manufactured after 1992 to be used while in operation, and to require that the maximum safe operating speed of commercial motor vehicles shall not exceed 65 miles per hour, or 70 miles per hour with certain safety technologies.

IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2019

Mr. ISAKSON (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Secretary of Transportation to promulgate standards and regulations requiring all new commercial motor vehicles to be equipped with technology to limit maximum operating speed, to require existing speed-limiting technologies already installed in commercial motor vehicles manufactured after 1992 to be used while in operation, and to require that the maximum safe operating speed of commercial motor vehicles shall not exceed 65 miles per hour, or 70 miles per hour with certain safety technologies.

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 “Cullum Owings Large
5 Truck Safe Operating Speed Act of 2019”.

6 **SEC. 2. FEDERAL MOTOR VEHICLE SAFETY STANDARD AND**
7 **FEDERAL MOTOR CARRIER SAFETY REGULA-**
8 **TION FOR SPEED-LIMITING TECHNOLOGIES.**

9 (a) FINDINGS.—Congress finds that—

10 (1) according to the Federal Motor Carrier
11 Safety Administration, during the period beginning
12 on January 1, 2004, and ending on December 31,
13 2013, 10,440 people were killed in motor vehicle
14 crashes in which the speed of a commercial motor
15 vehicle likely contributed to severity;

16 (2) a 2007 survey of truck drivers by the Insur-
17 ance Institute for Highway Safety determined that
18 64 percent of the drivers were in favor of a speed-
19 limiting requirement;

20 (3) according to a 2012 study commissioned by
21 the Federal Motor Carrier Safety Administration,
22 trucks not using a speed-limiting technology had a
23 speed limit-relevant crash rate almost 2 times higher
24 than the rate of trucks using a speed-limiting tech-
25 nology;

1 (4) speed-limiting devices have been required to
2 be installed and used on commercial motor vehicles
3 throughout the world, including in—

4 (A) Australia, which has required the use
5 of those devices since 1990;

6 (B) the United Kingdom, which has re-
7 quired the use of those devices since 1992; and

8 (C) the European Union, which has re-
9 quired the use of those devices since 1994; and

10 (5) the Department of Transportation has been
11 examining the issues involving speed-limiting tech-
12 nologies since at least 2006.

13 (b) DEFINITIONS.—In this section:

14 (1) ADAPTIVE CRUISE CONTROL SYSTEM.—The
15 term “adaptive cruise control system” means a sys-
16 tem on a commercial motor vehicle that is de-
17 signed—

18 (A) to maintain a set speed; and

19 (B) when applicable, to adjust the set
20 speed to maintain a specified distance from a
21 lead vehicle.

22 (2) AUTOMATIC EMERGENCY BRAKING SYS-
23 TEM.—The term “automatic emergency braking sys-
24 tem” means a system on a commercial motor vehicle
25 that—

1 (A) detects potential collisions;

2 (B) provides to the driver a warning of
3 each detected potential collision; and

4 (C) applies brakes automatically when a
5 forward collision is imminent.

6 (3) COMMERCIAL MOTOR VEHICLE.—The term
7 “commercial motor vehicle” means a motor vehicle
8 that—

9 (A) is used in interstate commerce; and

10 (B) has a gross vehicle weight rating or a
11 gross vehicle weight of not less than 26,001
12 pounds.

13 (4) SECRETARY.—The term “Secretary” means
14 the Secretary of Transportation.

15 (5) SPEED-LIMITING TECHNOLOGY.—The term
16 “speed-limiting technology” means a technology that
17 prevents a commercial motor vehicle from exceeding
18 a preprogrammed maximum speed.

19 (c) FEDERAL MOTOR VEHICLE SAFETY STANDARD
20 AND MOTOR CARRIER SAFETY REGULATION.—

21 (1) IN GENERAL.—Not later than 1 year after
22 the date of enactment of this Act, the Secretary
23 shall—

1 (A) acting through the Administrator of
2 the National Highway Traffic Safety Adminis-
3 tration, issue a final rule that—

4 (i) establishes a Federal motor vehicle
5 safety standard that requires that all com-
6 mercial motor vehicles manufactured after
7 the effective date of the standard shall be
8 equipped with a speed-limiting technology;
9 and

10 (ii) prescribes performance standards
11 for speed-limiting technologies, automatic
12 emergency braking systems, and adaptive
13 cruise control systems that reduce or miti-
14 gate collisions at speeds of not faster than
15 70 miles per hour; and

16 (B) acting through the Administrator of
17 the Federal Motor Carrier Safety Administra-
18 tion, issue a final rule that establishes a Fed-
19 eral motor carrier safety regulation that re-
20 quires that any existing speed-limiting tech-
21 nology already installed in a commercial motor
22 vehicle manufactured after December 31, 1992,
23 shall be used at any time during which the com-
24 mercial motor vehicle is in operation, in accord-
25 ance with paragraph (2).

1 (2) REQUIREMENTS.—In issuing a final rule
2 pursuant to paragraph (1), the Secretary shall—

3 (A) include requirements to ensure that
4 each speed-limiting technology—

5 (i) accurately measures the speed of
6 the applicable commercial motor vehicle;
7 and

8 (ii) maintains a maximum speed of
9 not faster than 65 miles per hour, or not
10 faster than 70 miles per hour with the use
11 of an adaptive cruise control system and
12 an automatic emergency braking system,
13 to ensure the safety of commercial motor
14 vehicle drivers and the public, regardless of
15 whether the speed-limiting technology was
16 installed in the commercial motor vehicle—

17 (I) prior to the effective date of
18 the standard or regulation; or

19 (II) for purposes of achieving
20 compliance with the standard under
21 paragraph (1)(A); and

22 (B) as necessary, amend any Federal
23 motor vehicle safety standards or Federal motor
24 carrier safety regulations to require that all

1 commercial motor vehicles shall travel at a
2 speed of not faster than—

3 (i) 65 miles per hour; or

4 (ii) 70 miles per hour with the use of
5 adaptive cruise control systems and auto-
6 matic emergency braking systems.

7 (3) SECRETARIAL REVIEW.—

8 (A) IN GENERAL.—Not less frequently
9 than once every 5 years, the Secretary shall
10 conduct a review of all applicable Federal
11 speed-governing regulations, taking into consid-
12 eration—

13 (i) deployed safety technologies avail-
14 able in commercial motor vehicles;

15 (ii) the overall impact of the safety
16 technologies described in clause (i) on
17 highway safety; and

18 (iii) available data relating to the use
19 of speed-limiting technologies by commer-
20 cial motor vehicles.

21 (B) PURPOSE.—The purpose of each re-
22 view under this paragraph shall be to ensure
23 that proven technologies and data are consid-
24 ered in the context of speed-governing regula-
25 tions to enhance road safety.

1 (C) RECOMMENDATIONS; PUBLICATION.—

2 On conclusion of each review under this para-
3 graph, the Secretary shall—

4 (i) submit to Congress recommenda-
5 tions for improvement of Federal speed-
6 governing regulations, if any; and

7 (ii) publish and provide an oppor-
8 tunity for public comment regarding the
9 findings of the review and recommenda-
10 tions, if any.

11 (d) IMPLEMENTATION.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this Act, each commercial
14 motor vehicle that is subject to the standard estab-
15 lished under subsection (c)(1)(A) shall ensure that a
16 speed-limiting technology establishes and maintains
17 for the commercial motor vehicle a maximum safe
18 speed of not faster than—

19 (A) 65 miles per hour; or

20 (B) 70 miles per hour with the use of an
21 adaptive cruise control system and an auto-
22 matic emergency braking system.

23 (2) VERIFICATION OF COMPLIANCE WITH RE-
24 QUIREMENTS.—The owner of each commercial motor
25 vehicle subject to a requirement under this section

1 shall verify, and submit to the Secretary a certifi-
2 cation of, compliance with the requirement at such
3 time and in such manner as the Secretary may es-
4 tablish, by regulation.

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