

AMENDMENT
OFFERED BY MR. GARCÍA OF ILLINOIS

At the end of subtitle C of title I of the bill, add the following:

1 **SEC. 13 ____ . FAIR COMPENSATION FOR TRUCK CRASH VIC-**
2 **TIMS ACT.**

3 (a) FINDINGS.—The Congress finds the following:

4 (1) In passing the Motor Carrier Act of 1980,
5 Public Law 96–296, Congress intended for the min-
6 imum insurance levels to maintain safety. According
7 to the House Report No. 96–1069, “the action of
8 the Committee in increasing financial responsibility
9 is to encourage the carriers to engage in practices
10 and procedures that will enhance the safety of their
11 equipment so as to afford the best protection to the
12 public.”.

13 (2) The National Transportation Policy Study
14 Commission (which consisted of six Members of the
15 Senate, six Members of the House of Representa-
16 tives, and seven public members appointed by the
17 President) recommended mandatory minimum insur-
18 ance requirements of \$1,000,000, in its 1979 Final
19 Report to the Congress, National Transportation

1 Policies through the Year 2000. The Report stated:
2 “As an example, all certificated motor carriers oper-
3 ating upon the highways should be obligated to carry
4 adequate insurance (or proof of financial responsi-
5 bility equal to such insurance) to protect the public.
6 The insurance should cover public liability, property,
7 damage, cargo and environmental restoration with a
8 \$1 million for single occurrence, or another min-
9 imum amount sufficient to require periodic ‘on site’
10 inspection by the insurance company, with the min-
11 imum to be updated regularly. Non-certificated
12 motor carriers should be subject to similar stand-
13 ards.”.

14 (3) According to the U.S. Bureau of Labor Sta-
15 tistics, the amount of \$750,000, set in 1980 (the
16 year of enactment), would have the same purchasing
17 power as \$5,193,665.62 in 2020, if the amount was
18 raised to account for medical-cost inflation.

19 (4) That same amount of \$750,000 would have
20 the same purchasing power as \$5,811,083 in 2025,
21 if the amount was raised to account for medical-cost
22 inflation.

23 (b) MINIMUM FINANCIAL RESPONSIBILITY FOR
24 TRANSPORTING PROPERTY.—

1 (1) IN GENERAL.—Section 31139(b) of title 49,
2 United States Code, is amended—

3 (A) in paragraph (2), by striking
4 “\$750,000” and inserting “\$5,000,000”; and

5 (B) by adding at the end the following:

6 “(3) ADJUSTMENT.—The Secretary, in con-
7 sultation with the Bureau of Labor Statistics, shall
8 adjust the minimum level of financial responsibility
9 under paragraph (2) quinquennially for inflation re-
10 lating to medical care.”.

11 (2) EFFECTIVE DATE.—The amendments made
12 by subsection (a) shall take effect on the date that
13 is 1 year after the date of enactment of this Act.

