

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H. R. 2  
OFFERED BY MR. LAMB OF PENNSYLVANIA**

Page 643, after line 18, insert the following:

1 **SEC. 420\_\_ . SMALL COMMERCIAL VEHICLE STUDY.**

2 (a) IN GENERAL.—The Administrator of the Federal  
3 Motor Carrier Safety Administration shall sponsor a study  
4 to collect data on the safety performance of commercial  
5 vehicles used in interstate commerce that are under  
6 10,000 pounds to gain insight into how fleet maintenance,  
7 fleet structure, driver training, scheduling of deliveries,  
8 and driver employment practices contribute to the safety  
9 performance of such vehicles.

10 (b) RESEARCH INSTITUTION.—The Administrator  
11 shall solicit applications from research institutions that  
12 have a reputation for conducting objective, fact-based  
13 science to conduct the study described in subsection (a).

14 (c) CONTENTS.—The study conducted pursuant to  
15 subsection (a) shall include the following:

16 (1) DATA COLLECTION.—Data collection using  
17 the same metrics that are used for commercial  
18 motor vehicles from a sampling of major fleets using

1 such vehicles as a part of interstate commerce, in-  
2 cluding companies that—

3 (A) directly perform deliveries;

4 (B) use contracted entities to perform  
5 work; and

6 (C) are Mid-sized and use contractors to  
7 handle all aspects of work.

8 (2) USE OF METRICS.—The metrics referred to  
9 in paragraph (1) shall also include crash rates, crash  
10 causation, vehicle miles traveled, moving violations,  
11 failed inspections, and other related data points, in-  
12 cluding—

13 (A) reporting requirements for commercial  
14 motor vehicles under the SMS system;

15 (B) information from State and other  
16 agencies (such as law enforcement, emission or  
17 state inspection entities), as well as insurers;

18 (C) for contractors covered by OSHA, re-  
19 view record of occupational injuries and ill-  
20 nesses; and

21 (D) collection of driver health data, iden-  
22 tical to that collected for commercial drivers but  
23 with strict HIPPA and confidentiality protec-  
24 tions included.

1           (3) EXAMINATION OF CORPORATE FLEET MAN-  
2           AGEMENT.—A detailed examination of how corporate  
3           fleet management directly and indirectly leads to the  
4           safety incidents experienced on the roads shall be  
5           conducted to make policy recommendations that ad-  
6           dress the actual underlying causes leading to unsafe  
7           fleet behavior and try to address the following ques-  
8           tions:

9                   (A) What do fleet maintenance regimes  
10                   consist of for these smaller vehicles?

11                   (B) Who is responsible for executing the  
12                   maintenance regime, both physically, finan-  
13                   cially, and ensuring that it is actually under-  
14                   taken?

15                   (C) What auditing or review programs are  
16                   in place to ensure compliance and how these  
17                   compare to maintenance regime of larger vehi-  
18                   cles or performed by other companies?

19                   (D) Does the presence of under-resourced  
20                   subcontractors operating these vehicles create  
21                   any specific challenges to maintaining proper  
22                   fleet safety either in terms of performing the  
23                   actual maintenance or training maintenance  
24                   staff?

1 (E) What are driver scheduling practices,  
2 and how do these contribute to safety perform-  
3 ance?

4 (F) Do scheduling practices allow enough  
5 time for proper vehicle maintenance during  
6 down time?

7 (G) What are the number of reserve vehi-  
8 cles fleets retain and are there enough vehicles  
9 that unsafe vehicles can be swapped out when  
10 issues arise without impeding delivery sched-  
11 ules?

12 (H) Are drivers forced to speed and engage  
13 in other unsafe driving practices in order to  
14 meet delivery schedules and how does this differ  
15 from the practices of drivers of larger commer-  
16 cial vehicles?

17 (I) Are drivers discouraged from reporting  
18 safety violations or issues with the vehicles?

19 (J) How are violations reported and what  
20 steps are in place to ensure that this under re-  
21 porting does not occur?

22 (K) Does the size of vehicle contribute to  
23 any unsafe loading practices?

24 (L) If a driver has a smaller vehicle with  
25 an enormous number of packages, are drivers

1           engaging in unsafe behavior in order to make  
2           all packages fit, such as putting packages on  
3           the dashboard or not securing them in the back  
4           of a van?

5           (M) Since drivers are not covered by the  
6           hours of service regulations, what company  
7           rules exist to limit allowable driving time?

8           (N) What prevents a driver from moving  
9           from one company to another in violation or  
10          one individual company's policies limiting driv-  
11          ing or work time?

12          (O) What drug testing or review of driver  
13          medial qualifications exist for drivers of these  
14          smaller vehicles?

