

PUBLIC LAW 109-59—AUG. 10, 2005

SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT
TRANSPORTATION EQUITY ACT: A LEGACY
FOR USERS

Public Law 109–59
109th Congress

An Act

Aug. 10, 2005
[H.R. 3]

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Safe,
Accountable,
Flexible, Efficient
Transportation
Equity Act: A
Legacy for Users.
Inter-
governmental
relations.
23 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” or “SAFETEA-LU”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. General definitions.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorization of Programs

- Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation ceiling.
Sec. 1103. Apportionments.
Sec. 1104. Equity bonus program.
Sec. 1105. Revenue aligned budget authority.
Sec. 1106. Future Interstate System routes.
Sec. 1107. Metropolitan planning.
Sec. 1108. Transfer of highway and transit funds.
Sec. 1109. Recreational trails.
Sec. 1110. Temporary traffic control devices.
Sec. 1111. Set-asides for Interstate discretionary projects.
Sec. 1112. Emergency relief.
Sec. 1113. Surface transportation program.
Sec. 1114. Highway bridge program.
Sec. 1115. Highway use tax evasion projects.
Sec. 1116. Appalachian development highway system.
Sec. 1117. Transportation, community, and system preservation program.
Sec. 1118. Territorial highway program.
Sec. 1119. Federal lands highways.
Sec. 1120. Puerto Rico highway program.
Sec. 1121. HOV facilities.
Sec. 1122. Definitions.

Subtitle B—Congestion Relief

- Sec. 1201. Real-time system management information program.

Subtitle C—Mobility and Efficiency

- Sec. 1301. Projects of national and regional significance.
Sec. 1302. National corridor infrastructure improvement program.
Sec. 1303. Coordinated border infrastructure program.
Sec. 1304. High priority corridors on the National Highway System.
Sec. 1305. Truck parking facilities.
Sec. 1306. Freight intermodal distribution pilot grant program.
Sec. 1307. Deployment of magnetic levitation transportation projects.

- Sec. 4115. Transfer provision.
- Sec. 4116. Medical program.
- Sec. 4117. Safety performance history screening.
- Sec. 4118. Roadability.
- Sec. 4119. International cooperation.
- Sec. 4120. Financial responsibility for private motor carriers.
- Sec. 4121. Deposit of certain civil penalties into Highway Trust Fund.
- Sec. 4122. CDL learner's permit program.
- Sec. 4123. Commercial driver's license information system modernization.
- Sec. 4124. Commercial driver's license improvements.
- Sec. 4125. Hobbs Act.
- Sec. 4126. Commercial vehicle information systems and networks deployment.
- Sec. 4127. Outreach and education.
- Sec. 4128. Safety data improvement program.
- Sec. 4129. Operation of commercial motor vehicles by individuals who use insulin to treat diabetes mellitus.
- Sec. 4130. Operators of vehicles transporting agricultural commodities and farm supplies.
- Sec. 4131. Maximum hours of service for operators of ground water well drilling rigs.
- Sec. 4132. Hours of service for operators of utility service vehicles.
- Sec. 4133. Hours of service rules for operators providing transportation to movie production sites.
- Sec. 4134. Grant program for commercial motor vehicle operators.
- Sec. 4135. CDL task force.
- Sec. 4136. Interstate van operations.
- Sec. 4137. Decals.
- Sec. 4138. High risk carrier compliance reviews.
- Sec. 4139. Foreign commercial motor vehicles.
- Sec. 4140. School bus driver qualifications and endorsement knowledge test.
- Sec. 4141. Driveaway saddlemount vehicles.
- Sec. 4142. Registration of motor carriers and freight forwarders.
- Sec. 4143. Authority to stop commercial motor vehicles.
- Sec. 4144. Motor Carrier Safety Advisory Committee.
- Sec. 4145. Technical corrections.
- Sec. 4146. Exemption during harvest periods.
- Sec. 4147. Emergency condition requiring immediate response.
- Sec. 4148. Substance abuse professionals.
- Sec. 4149. Office of intermodalism.

Subtitle B—Household Goods Transportation

- Sec. 4201. Short title.
- Sec. 4202. Definitions; application of provisions.
- Sec. 4203. Payment of rates.
- Sec. 4204. Additional registration requirements for motor carriers of household goods.
- Sec. 4205. Household goods carrier operations.
- Sec. 4206. Enforcement of regulations related to transportation of household goods.
- Sec. 4207. Liability of carriers under receipts and bills of lading.
- Sec. 4208. Arbitration requirements.
- Sec. 4209. Civil penalties relating to household goods brokers and unauthorized transportation.
- Sec. 4210. Penalties for holding household goods hostage.
- Sec. 4211. Consumer handbook on DOT web site.
- Sec. 4212. Release of household goods broker information.
- Sec. 4213. Working group for development of practices and procedures to enhance Federal-State relations.
- Sec. 4214. Consumer complaint information.
- Sec. 4215. Review of liability of carriers.
- Sec. 4216. Application of State consumer protection laws to certain household goods carriers.

Subtitle C—Unified Carrier Registration Act of 2005

- Sec. 4301. Short title.
- Sec. 4302. Relationship to other laws.
- Sec. 4303. Inclusion of motor private and exempt carriers.
- Sec. 4304. Unified Carrier Registration System.
- Sec. 4305. Registration of motor carriers by States.
- Sec. 4306. Identification of vehicles.
- Sec. 4307. Use of UCR Agreement revenues as matching funds.
- Sec. 4308. Regulations.

(1) establish (A) a system for filing and logging consumer complaints relating to household goods motor carriers for the purpose of compiling or linking complaint information gathered by the Department of Transportation and the States with regard to such carriers, (B) a database of the complaints, and (C) a procedure for the public to have access, subject to section 552(a) of title 5, United States Code, to aggregated information and for carriers to challenge duplicate or fraudulent information in the database;

Regulations.

(2) issue regulations requiring each motor carrier of household goods to submit on a quarterly basis a report summarizing—

(A) the number of shipments that originate and are delivered for individual shippers during the reporting period by the carrier;

(B) the number and general category of complaints lodged by consumers with the carrier;

(C) the number of claims filed with the carrier for loss and damage in excess of \$500;

(D) the number of such claims resolved during the reporting period;

(E) the number of such claims declined in the reporting period; and

(F) the number of such claims that are pending at the close of the reporting period; and

(3) develop a procedure to forward a complaint, including the motor carrier bill of lading number, if known, related to the complaint to a motor carrier named in such complaint and to an appropriate State authority (as defined in section 14710(d) of title 49, United States Code) in the State in which the complainant resides.

(b) USE OF INFORMATION.—The Secretary shall consider information in the data base established under subsection (a) in its household goods compliance and enforcement program.

49 USC 14706
note.
Deadline.
Regulations.

SEC. 4215. REVIEW OF LIABILITY OF CARRIERS.

(a) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Surface Transportation Board shall complete a review of the current Federal regulations regarding the level of liability protection provided by motor carriers that provide transportation of household goods and revise such regulations, if necessary, to provide enhanced protection in the case of loss or damage.

(b) DETERMINATIONS.—The review required by subsection (a) shall include a determination of—

(1) whether the current regulations provide adequate protection;

(2) the benefits of purchase by a shipper of insurance to supplement the carrier's limitations on liability; and

(3) whether there are abuses of the current regulations that leave the shipper unprotected in the event of loss and damage to a shipment of household goods.

SEC. 4216. APPLICATION OF STATE CONSUMER PROTECTION LAWS TO CERTAIN HOUSEHOLD GOODS CARRIERS.

(a) STUDY.—The Comptroller General shall conduct a study on the current consumer protection authorities and actions of the Department of Transportation and the impact on shippers and carriers of household goods involved in interstate transportation