

110TH CONGRESS
2^D SESSION

H. CON. RES. 304

Expressing the sense of Congress that allowing motor carriers domiciled in Mexico to operate in the United States without adequate regulation jeopardizes the safety and security of United States citizens, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2008

Mr. BARROW submitted the following concurrent resolution; which was referred to the Committee on Transportation and Infrastructure

CONCURRENT RESOLUTION

Expressing the sense of Congress that allowing motor carriers domiciled in Mexico to operate in the United States without adequate regulation jeopardizes the safety and security of United States citizens, and for other purposes.

Whereas the North American Free Trade Agreement (NAFTA) took effect in January 1994;

Whereas NAFTA contains provisions requiring that motor carriers be allowed to conduct operations freely between NAFTA participant countries and recommending that inspection and licensing standards be the same for all motor carriers and their drivers operating within the free trade zone;

Whereas because of serious safety and environmental problems with Mexico's licensing procedures and truck fleet, which were uncovered by the Inspector General of the Department of Transportation, the NAFTA motor carrier provisions were not immediately implemented;

Whereas in January 2003, the 9th Circuit Court of Appeals further delayed implementation of the NAFTA motor carrier provisions pending compliance with certain environmental requirements;

Whereas in June 2004, the Supreme Court reversed the decision of the 9th Circuit and thereby allowed implementation of the NAFTA motor carrier provisions to proceed;

Whereas in early 2007, the Department of Transportation announced the establishment of a demonstration program to allow 100 motor carriers domiciled in Mexico to operate in the United States beyond the commercial zones on the United States-Mexico border;

Whereas on May 15, 2007, the House of Representatives, by a vote of 411–3, passed the Safe American Roads Act of 2007, which seeks to limit the authority of the Secretary of Transportation to initiate a cross-border motor carrier demonstration program between the United States and Mexico;

Whereas in September 2007, despite reservations expressed by the Inspector General of the Department of Transportation concerning the inability of the United States to access vehicle inspection statistics or drivers' records, the Department of Transportation began implementation of its cross-border motor carrier demonstration program between the United States and Mexico; and

Whereas the Consolidated Appropriations Act, 2008 (Public Law 110–161) prohibits the funds made available under that Act from being used for any cross-border motor carrier demonstration program between the United States and Mexico: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of Congress that—

3 (1) allowing motor carriers domiciled in Mexico
4 to operate in the United States without adequate
5 regulation jeopardizes the safety and security of
6 United States citizens; and

7 (2) the demonstration program established by
8 the Department of Transportation to allow motor
9 carriers domiciled in Mexico to operate in the United
10 States beyond commercial zones on the United
11 States-Mexico border must be terminated.

○