**Calendar No. 587**

116TH CONGRESS
*2d Session*

SENATE

REPORT
116–294

# MOTOR CARRIER SAFETY GRANT RELIEF ACT OF 2020

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 3729

NOVEMBER 16, 2020.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED SIXTEENTH CONGRESS

SECOND SESSION

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# MOTOR CARRIER SAFETY GRANT RELIEF ACT OF 2020

NOVEMBER 16, 2020.—Ordered to be printed

Mr. WICKER, from the Committee on Commerce, Science, and Transportation, submitted the following

## REPORT

[To accompany S. 3729]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 3729) to provide relief for the recipients of financial assistance awards from the Federal Motor Carrier Safety Administration, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of S. 3729 is to provide States additional time and flexibility to use and redistribute Federal Motor Carrier Safety Administration (FMCSA) grant awards, which States rely on to support key commercial motor vehicle safety programs.

### BACKGROUND AND NEEDS

FMCSA administers several grant programs that are funded from the Highway Trust Fund, including the Motor Carrier Safety Assistance Program (MCSAP), High Priority (HP), and Commercial Driver's License Program Implementation (CDLPI) grants. These formula and discretionary grants provide financial assistance to States to improve motor carrier safety by reducing the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles (CMVs); enhancing commercial vehicle safety plans; maintaining innovative technologies that improve safety; and helping achieve compliance with Federal motor carrier safety regulations. The Fixing America's Surface Transportation

(FAST) Act[1] reauthorized these grant programs for fiscal years 2016 through 2020.

As States have responded to the impacts of the COVID–19 pandemic, many have seen a temporary reduction in their commercial motor vehicle safety enforcement activities, such as roadside inspections, compliance reviews, and safety audits, as well as their ability to make purchases, which are necessary in order to qualify for FMCSA grants. For instance, some jurisdictions have had to reassign enforcement personnel or implement social distancing policies to protect inspectors and drivers, resulting in fewer activities being conducted and lower expenses being incurred that would be eligible for financial assistance from FMCSA grant programs. States are also having challenges with the ability to complete necessary purchases within the fiscal year. For example, some States that had placed vehicle orders may have difficulties fulfilling the orders this fiscal year due to declines in vehicle manufacturing and production.

Given the unusual challenges presented by COVID–19, States may not be able to spend their FMCSA grant funds before these funds expire at the end of the fiscal year. S. 3729 would address these challenges by providing States with an additional year to spend FMCSA grant funds and providing FMCSA with the authority to retain and redistribute any unused grant funds at the end of the fiscal year.

## SUMMARY OF PROVISIONS

S. 3729, the Motor Carrier Safety Grant Relief Act of 2020, would do the following:

- Authorize the Secretary of Transportation to provide an extra year for States to spend funds awarded for fiscal years 2019 and 2020 through the MCSAP, CDLPI, and HP grants.
- Authorize the Secretary of Transportation to retain and redistribute unallocated funds at the end of the grant period for fiscal years 2019 and 2020.

## LEGISLATIVE HISTORY

S. 3729 was introduced on May 13, 2020, by Senator Wicker (for himself and Senators Cantwell, Thune, Fischer, and Duckworth) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. On May 20, 2020, the Committee met in open Executive Session and, by voice vote, ordered S. 3729 reported favorably without amendment.

## ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

[1] Public Law 114–94.

**S. 3729, Motor Carrier Safety Grant Relief Act of 2020**
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on May 20, 2020

| By Fiscal Year, Millions of Dollars | 2020 | 2020-2025 | 2020-2030 |
|---|---|---|---|
| Direct Spending (Outlays) | 0 | 1 | 1 |
| Revenues | 0 | 0 | 0 |
| Increase or Decrease (-) in the Deficit | 0 | 1 | 1 |
| Spending Subject to Appropriation (Outlays) | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| Statutory pay-as-you-go procedures apply? | Yes | **Mandate Effects** | |
| Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031? | No | Contains intergovernmental mandate? | No |
| | | Contains private-sector mandate? | No |

S. 3729 would extend the obligation period by one year for certain funds provided to the Federal Motor Carrier Safety Administration (FMCSA) in fiscal years 2019 and 2020. Under current law, the obligation period for the affected funds ranges between two and five fiscal years, depending on the particular program. S. 3729 also would stipulate that any funds released to FMCSA that would have expired under current law would not be subject to obligation limitations provided in appropriation laws.

Using information from FMCSA about the amount of unobligated balances for the programs that would be affected by the bill and the percentage of those programs' funds that expired in recent years, CBO estimates that enacting S. 3729 would increase direct spending by an insignificant amount each year between 2021 and 2027 and would total about $750,000 over the 2020–2030 period. The additional spending would stem from amounts that CBO estimates will expire under current law that would instead remain available to obligate and outlay under the bill.

The CBO staff contact for this estimate is Robert Reese. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

## REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

### *Number of Persons Covered*

S. 3729, as reported, would not impose any new regulatory requirements on businesses.

### *Economic Impact*

S. 3729, as reported, is not expected to have an adverse impact on the Nation's economy.

### *Privacy*

S. 3729, as reported, is not expected to have an adverse impact on the personal privacy of individuals.

*Paperwork*

S. 3729, as reported, would not increase the paperwork requirements for private individuals or businesses. The bill would provide additional time and flexibility for States to use and redistribute FMCSA grant awards, which States rely on to support key commercial motor vehicle programs.

## CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

## SECTION-BY-SECTION ANALYSIS

*Section 1. Short title*

This section would provide that the bill may be cited as the "Motor Carrier Safety Grant Relief Act of 2020".

*Section 2. Relief for recipients of financial assistance awards from the Federal Motor Carrier Safety Administration*

This section would provide States with an extra year to spend funds awarded for fiscal years 2019 and 2020 through the MCSAP, CDLPI, and HP grants. In addition, this section would authorize the Secretary of Transportation to keep and redistribute unallocated funds at the end of the grant period for fiscal years 2019 and 2020.

## CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.