

# NAFTA TRUCKING SAFETY ACT

No Mexican motor carrier shall be granted authority to operate in the United States beyond the commercial zones on the United States-Mexico border until the Secretary of Transportation:

- 1) Publishes in the Federal Register a list of all Federal Motor Carrier Safety Regulations (FMCSRs) and how the Mexican carrier, truck and driver will be required to comply with that regulation.
- 2) Publishes in the Federal Register a list of the enforcement tools and conditions required by law that will be available to federal and state motor carrier safety enforcement personnel. The Secretary shall also provide an analysis as to whether such tools are available to provide at least the same level of enforcement capability towards Mexico-domiciled motor carriers and truck drivers as is currently focused upon U.S.-based motor carriers and truck drivers.
- 3) Has implemented a plan, in conjunction with the Secretary of Homeland Security, to monitor and enforce cabotage regulations already included in the Immigration and Customs regulations. They must also adopt penalties for anyone who arranges, facilitates or directs a Mexican truck driver's pick-up and delivery of a load within the U.S. in violation of current law.

No Mexican truck driver shall be granted authority to operate in the U.S. until U.S. safety and law enforcement personnel have the ability to access driver, criminal and security databases to verify a Mexican driver's identification, driving record, criminal history and risk to homeland security in the same manner that this information is used to verify a U.S. driver's information.

No Mexican motor carrier shall be granted authority to operate in the U.S. beyond the existing border commercial zones until the Department of Transportation's Office of the Inspector General has independently verified compliance with each condition listed in Section 350 of Public Law 107-87 and submitted a report to Congress detailing that compliance.

No Mexican motor carrier shall be granted authority to operate in the U.S. beyond the existing border commercial zones until the Secretary of Transportation has submitted to Congress a plan to enforce the English language proficiency requirement of section 391.11(b)(2) of title 49, Code of Federal Regulations.