

104TH CONGRESS
2D SESSION

S. 1548

To provide that applications by Mexican motor carriers of property for authority to provide service across the United States-Mexico international boundary line and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States shall not be approved until certain certifications are made to the Congress by the President and the Secretary of Transportation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 1996

Mrs. FEINSTEIN (for herself, Mr. D'AMATO, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide that applications by Mexican motor carriers of property for authority to provide service across the United States-Mexico international boundary line and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States shall not be approved until certain certifications are made to the Congress by the President and the Secretary of Transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CERTIFICATION BY SECRETARY OF TRANSPOR-**
2 **TATION.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, the Secretary of Transportation shall not ap-
5 prove the application of any Mexican motor carrier of
6 property to provide service across the United States-Mex-
7 ico international boundary line or by a Mexican owned or
8 controlled enterprise established in the United States to
9 transport international cargo in foreign commerce, until
10 the certifications described in subsection (b) are submitted
11 to the Congress and a joint resolution described in sub-
12 section (c) is enacted into law.

13 (b) CERTIFICATIONS DESCRIBED.—The certifications
14 described in this subsection mean written statements sub-
15 mitted to the Congress—

16 (1) by the President certifying that pursuant to
17 section 490A(b) of the Foreign Assistance Act of
18 1961 (22 U.S.C. 2291k(b)), Mexico is taking suffi-
19 cient steps to combat international narcotics traf-
20 ficking, and

21 (2) by the Secretary of Transportation certify-
22 ing that—

23 (A) the operating authority described in
24 subsection (a) shall not be granted to any Mexi-
25 can motor carrier, driver, enterprise, or broker
26 unless such carrier, driver, enterprise, or broker

1 is aware of and is complying with the safety,
2 weight, insurance, and hazardous materials re-
3 quirements of the United States,

4 (B) a full-time enforcement program with
5 respect to the requirements described in sub-
6 paragraph (A) is in place, and

7 (C) an on-going program of monitoring
8 and evaluation with respect to the requirements
9 is in place.

10 (c) JOINT RESOLUTION DESCRIBED; PROCEDURAL
11 REQUIREMENTS.—

12 (1) IN GENERAL.—For purposes of subsection
13 (a), a joint resolution is described in this subsection
14 if it is a joint resolution of the 2 Houses of Congress
15 and the matter after the resolving clause of such
16 joint resolution is as follows: “That the Congress au-
17 thorizes the Secretary of Transportation to approve
18 applications submitted by Mexican motor carriers of
19 property, drivers, enterprises, and brokers to operate
20 across the United States-Mexico international
21 boundary line and by Mexican owned or controlled
22 enterprises to transport international cargo in the
23 United States, if the Secretary is satisfied that the
24 carrier, driver, enterprise, or broker, as the case may
25 be, meets United States safety, health, and operat-

1 ing standards, and any other applicable standard,
2 for such operations.”

3 (2) PROCEDURAL PROVISIONS.—The require-
4 ments of this subsection are met if the Congress
5 adopts and transmits the joint resolution described
6 in paragraph (1) to the President at any time after
7 the Congress receives the certifications described in
8 subsection (b).

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