

# The INVEST in America Act and Its Impact on the Trucking Industry

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Recently, Democrats in the United States House of Representatives introduced the “Investing in a New Vision for the Environment and Surface Transportation in America (INVEST in America) Act.” The legislation is a \$547 billion highway bill that will potentially have both positive and negative impacts on the trucking industry.

First, the proposed bill provides a significant investment in parking areas for truck drivers. The legislation, if approved, would create “a grant program to address the shortage of parking for commercial motor vehicles,” and allocate \$1 billion in grant funding. The goal of the program would be to increase the amount of safe parking areas for truck drivers. Next, the legislation would mandate “newly manufactured heavy-duty commercial motor vehicles to be equipped with an automatic emergency braking system.” These systems would be required to be in use while the vehicle is in operation. A third feature of the legislation involves sleep apnea screening for truck drivers. The Federal Motor Carrier Safety Administration (FMCSA) would have to establish criteria for screening sleep apnea in commercial truck drivers that could successfully identify the disorder and, ultimately, lessen its impact on drivers' abilities to operate their vehicles.

Finally, the proposal would “increase the minimum amount of insurance required for commercial motor vehicles from \$750,000 to \$2 million.” The FMCSA would be required to adjust this amount every five years in accordance with inflation. This provision in particular has been a topic of much controversy since the proposal's announcement. The Owner-Operator Independent Drivers Association (OOIDA), which supports some features of the bill, has criticized the change to the insurance requirement. Its president and CEO issued a harsh statement in opposition to it: “Everyone knows this increase will do absolutely nothing to improve safety on our highways and will destroy small trucking businesses ...What good is a highway bill when it does more to support the unbridled greed of trial lawyers than truckers?”

The United States Senate has its own version of a highway bill that differs in a couple of ways from the House's version. Importantly, the Senate legislation lacks provisions regarding truck parking and changes to the insurance requirements. Additionally, the Senate bill only allocates approximately \$300 billion. The two pieces of legislation have not passed their respective chambers of Congress, and once they do, the two bills will need to be reconciled in order to create one highway bill. Once that happens and the reconciled bill passes both chambers, the legislation will be sent to President Biden for his signature.

The fate of this legislation is still very uncertain, but the reconciled bill will likely produce major changes for trucking companies. Based on the differences between the two chambers' proposals, especially regarding the controversial changes to the insurance requirement, the two chambers still have significant work to do. Additionally, in a divided Congress, the two parties will have to reach an agreeable compromise. MG+M will continue to monitor these two bills and report on any progress made by Congress.