

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. GUEST OF MISSISSIPPI**

At the end of subtitle C of title IV of the bill, add
the following:

1 **SEC. ____ . TRANSPORTATION OF AGRICULTURAL COM-**
2 **MODITIES AND FARM SUPPLIES.**

3 (a) TRANSPORTATION OF AGRICULTURAL COMMOD-
4 ITIES AND FARM SUPPLIES.—Section 229 of the Motor
5 Carrier Safety Improvement Act of 1999 (49 U.S.C.
6 31136 note; Public Law 106–159) is amended—

7 (1) in subsection (a)(1)—

8 (A) in the matter preceding subparagraph
9 (A), by striking “during planting and harvest
10 periods, as determined by each State,”; and

11 (B) by striking subparagraph (A) and in-
12 serting the following:

13 “(A) drivers transporting agricultural com-
14 modities within a 150 air-mile radius from—

15 “(i) the source of the agricultural
16 commodities; or

17 “(ii) the destination of the agricul-
18 tural commodities;” and

1 (2) in subsection (e)(8), by striking “during the
2 planting and harvesting seasons within each State,
3 as determined by the State, and livestock feed at
4 any time of the year” and inserting “and livestock
5 feed”.

6 (b) DEFINITION OF AGRICULTURAL COMMODITY.—

7 (1) IN GENERAL.—Section 229(e) of the Motor
8 Carrier Safety Improvement Act of 1999 (49 U.S.C.
9 31136 note; Public Law 106–159) is amended by
10 striking paragraph (7) and inserting the following:

11 “(7) AGRICULTURAL COMMODITY.—The term
12 ‘agricultural commodity’ has the meaning given the
13 term in section 395.2 of title 49, Code of Federal
14 Regulations (or a successor regulation).”.

15 (2) RULEMAKING.—Not later than 180 days
16 after the date of enactment of this Act, the Sec-
17 retary of Transportation shall revise the definition of
18 the term “agricultural commodity” in section 395.2
19 of title 49, Code of Federal Regulations, to in-
20 clude—

21 (A) any nonprocessed product planted or
22 harvested for food, feed, fuel, or fiber;

23 (B)(i) any nonhuman living animal, includ-
24 ing—

25 (I) fish;

- 1 (II) insects; and
- 2 (III) livestock (as defined in section
- 3 602 of the Emergency Livestock Feed As-
- 4 sistance Act of 1988 (7 U.S.C. 1471)); and
- 5 (ii) the nonprocessed products of any
- 6 nonhuman living animal, including—
- 7 (I) milk;
- 8 (II) eggs; and
- 9 (III) honey;
- 10 (C) nonprocessed forestry, aquacultural,
- 11 horticultural, and floricultural commodities;
- 12 (D) fresh or minimally processed fruits
- 13 and vegetables, including fruits and vegetables
- 14 that are rinsed, cooled, cut, ripened, or other-
- 15 wise minimally processed, as determined by the
- 16 Secretary; and
- 17 (E) animal feed, including the ingredients
- 18 of animal feed.

