

109TH CONGRESS
2^D SESSION

S. 3702

To provide for the safety of migrant seasonal agricultural workers.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2006

Mrs. FEINSTEIN (for herself and Ms. SNOWE) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

A BILL

To provide for the safety of migrant seasonal agricultural
workers.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Farm and Forestry
5 Worker Transportation Safety Act”.

6 **SEC. 2. SEATS AND SEAT BELTS FOR MIGRANT AND SEA-**
7 **SONAL AGRICULTURAL WORKERS.**

8 (a) SEATS.—Except as provided in subsection (d), in
9 promulgating vehicle safety standards under the Migrant
10 and Seasonal Agricultural Worker Protection Act (29

1 U.S.C. 1801 et seq.) for the transportation of migrant and
2 seasonal agricultural workers by farm labor contractors,
3 agricultural employers or agricultural associations, the
4 Secretary of Labor shall ensure that each occupant or
5 rider in, or on, any vehicle subject to such standards is
6 provided with a seat that is a designated seating position
7 (as such term is defined for purposes of the Federal motor
8 vehicle safety standards issued under chapter 301 of title
9 49, United States Code).

10 (b) SEAT BELTS.—Each seating position required
11 under subsection (a) shall be equipped with an operational
12 seat belt, except that this subsection shall not apply with
13 respect to seating positions in buses that would otherwise
14 not be required to have seat belts under the Federal motor
15 vehicle safety standards.

16 (c) PERFORMANCE REQUIREMENTS.—

17 (1) IN GENERAL.—Not later than 6 months
18 after the date of enactment of this Act, the Sec-
19 retary of Transportation, in consultation with the
20 Secretary of Labor, shall issue minimum perform-
21 ance requirements for the strength of seats and the
22 attachment of seats and seat belts in vehicles that
23 are converted, after being sold for purposes other
24 than resale, for the purpose of transporting migrant
25 or seasonal agricultural workers. The requirements

1 shall provide a level of safety that is as close as
2 practicable to the level of safety provided for in a ve-
3 hicle that is manufactured or altered for the purpose
4 of transporting such workers before being sold for
5 purposes other than resale.

6 (2) EXPIRATION.—Effective on the date that is
7 7 years after the date of enactment of this Act, any
8 vehicle that is or has been converted for the purpose
9 of transporting migrant or seasonal agricultural
10 workers shall provide the same level of safety as a
11 vehicle that is manufactured or altered for such pur-
12 pose prior to being sold for purposes other than re-
13 sale.

14 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion shall be construed to alter or modify the regulations
16 contained in section 500.103, or the provision pertaining
17 to transportation that is primarily on private roads in sec-
18 tion 500.104(l), of title 29, Code of Federal Regulations,
19 as in effect on the date of enactment of this Act.

20 (e) DEFINITIONS.—The definitions contained in sec-
21 tion 3 of the Migrant and Seasonal Agricultural Worker
22 Protection Act (29 U.S.C. 1802) shall apply to this sec-
23 tion.

24 (f) COMPLIANCE DATE.—Not later than 1 year after
25 such date of enactment, and except as provided in sub-

1 section (c)(2), all vehicles subject to this Act shall be in
2 compliance with the requirements of this Act.

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