

115TH CONGRESS  
1ST SESSION

# H. R. 4147

To amend title 49, United States Code, to provide certain port authorities,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2017

Mr. NADLER (for himself, Mrs. NAPOLITANO, Mr. DEFazio, Mr. LOWENTHAL, Ms. BARRAGÁN, Ms. NORTON, Mr. HUFFMAN, Mr. TAKANO, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to provide certain  
port authorities, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Clean Ports Act of  
5 2017”.

6 **SEC. 2. APPLICABILITY TO PORT FACILITIES.**

7 Section 14501(c) of title 49, United States Code, is  
8 amended—

9 (1) in paragraph (2)(A)—

1 (A) by striking “or” after “cargo,”; and

2 (B) by inserting before the semicolon the  
3 following: “, or the authority of a State, polit-  
4 ical subdivision of a State, or political authority  
5 of two or more States to adopt requirements for  
6 motor carriers and commercial motor vehicles  
7 providing services at port facilities that are rea-  
8 sonably related to the reduction of environ-  
9 mental pollution, traffic congestion, the im-  
10 provement of highway safety, or the efficient  
11 utilization of port facilities, if adoption or en-  
12 forcement of such requirements does not con-  
13 flict with any other applicable Federal law or  
14 regulation”; and

15 (2) by adding at the end the following:

16 “(6) CLARIFICATION FOR PARAGRAPH (2).—

17 “(A) DEFINITION OF PORT FACILITIES.—

18 For purposes of paragraph (2)(A), the term  
19 ‘port facilities’ means all port facilities for  
20 coastwise, intercoastal, inland waterways, and  
21 Great Lakes shipping and overseas shipping, in-  
22 cluding, wharves, piers, sheds, warehouses, ter-  
23 minals, yards, docks, control towers, container  
24 equipment, maintenance buildings, container

1 freight stations and port equipment, including  
2 harbor craft, cranes, and straddle carriers.

3 “(B) APPLICABILITY OF CLEAN AIR ACT.—  
4 Nothing in paragraph (1) shall limit the rights  
5 reserved to any State or a political subdivision  
6 thereof under the Clean Air Act (42 U.S.C.  
7 7401 et seq.).”.

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