

“(c) USE OF DATA.—The National Highway Traffic Safety Administration shall—

“(1) integrate the data, including driver citation and conviction information; and

“(2) make the data base available electronically to the Federal Motor Carrier Safety Administration, the States, motor carriers, and other interested parties for problem identification, program evaluation, planning, and other safety-related activities.

“(d) REPORT.—Not later than 3 years after the date on which the improved data program begins, the Secretary shall transmit a report to Congress on the program, together with any recommendations the Secretary finds appropriate.

“(e) FUNDING.—Of the amounts deducted under section 104(a)(1)(B) of title 23, United States Code, for each of fiscal years 2001, 2002, and 2003 \$5,000,000 per fiscal year shall be available only to carry out this section.

“(f) ADDITIONAL FUNDING FOR INFORMATION SYSTEMS.—

“(1) IN GENERAL.—Of the amounts made available for each of fiscal years 2001, 2002, and 2003 under section 4003(i) of the Transportation Equity Act for the 21st Century [Pub. L. 105–178, 49 U.S.C. 31104 note] (112 Stat. 395–398), as added by section 103(b)(1) of this Act, \$5,000,000 per fiscal year shall be available only to carry out section 31106 of title 49, United States Code.

“(2) AMOUNTS AS ADDITIONAL.—The amounts made available by paragraph (1) shall be in addition to amounts made available under section 31107 of title 49, United States Code.”

§ 31101. Definitions

In this subchapter—

(1) “commercial motor vehicle” means (except in section 31106) a self-propelled or towed vehicle used on the highways in commerce principally to transport passengers or cargo, if the vehicle—

(A) has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater;

(B) is designed to transport more than 10 passengers including the driver; or

(C) is used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of this title and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103.

(2) “employee” means a driver of a commercial motor vehicle (including an independent contractor when personally operating a commercial motor vehicle), a mechanic, a freight handler, or an individual not an employer, who—

(A) directly affects commercial motor vehicle safety in the course of employment by a commercial motor carrier; and

(B) is not an employee of the United States Government, a State, or a political subdivision of a State acting in the course of employment.

(3) “employer”—

(A) means a person engaged in a business affecting commerce that owns or leases a commercial motor vehicle in connection with that business, or assigns an employee to operate the vehicle in commerce; but

(B) does not include the Government, a State, or a political subdivision of a State.

(4) “State” means a State of the United States, the District of Columbia, Puerto Rico,

the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 984; Pub. L. 105–178, title IV, §4003(a), June 9, 1998, 112 Stat. 395.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31101	49 App.:2301(1), (3)–(6). 49 App.:2301(2).	Jan. 6, 1983, Pub. L. 97–424, §401(1), (3)–(6), 96 Stat. 2154, 2155. Jan. 6, 1983, Pub. L. 97–424, §401(2), 96 Stat. 2154; Oct. 30, 1984, Pub. L. 98–554, §228(a), (b), 98 Stat. 2852.

Before clause (1), the words “unless the context otherwise requires” are omitted as unnecessary. The text of 49 App.:2301(4) is omitted as unnecessary because of 1:1. The text of 49 App.:2301(5) is omitted as surplus because the complete name of the Secretary of Transportation is used the first time the term appears in a section.

In clause (1), before subclause (A), the words “(except in section 31106)” are added because the source provisions being restated in section 31106 of the revised title contain a definition of “commercial motor vehicle”.

In clause (4), the words “the Commonwealth of” are omitted for consistency in the revised title and with other titles of the United States Code.

AMENDMENTS

1998—Par. (1)(A). Pub. L. 105–178, §4003(a)(1), inserted “or gross vehicle weight” after “rating” and substituted “10,001 pounds, whichever is greater” for “10,000 pounds”.

Par. (1)(C). Pub. L. 105–178, §4003(a)(2), inserted “and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103” before period at end.

SAVINGS CLAUSE

Pub. L. 105–178, title IV, §4003(h), June 9, 1998, 112 Stat. 398, provided that: “Amendments made by this section [amending this section and sections 31102 to 31104 of this title] shall not affect any funds made available before the date of enactment of this Act [June 9, 1998].”

§ 31102. Grants to States

(a) GENERAL AUTHORITY.—Subject to this section and the availability of amounts, the Secretary of Transportation may make grants to States for the development or implementation of programs for improving motor carrier safety and the enforcement of regulations, standards, and orders of the United States Government on commercial motor vehicle safety, hazardous materials transportation safety, and compatible State regulations, standards, and orders.

(b) STATE PLAN PROCEDURES AND CONTENTS.—

(1) The Secretary shall prescribe procedures for a State to submit a plan under which the State agrees to assume responsibility for improving motor carrier safety and to adopt and enforce regulations, standards, and orders of the Government on commercial motor vehicle safety, hazardous materials transportation safety, or compatible State regulations, standards, and orders. The Secretary shall approve the plan if the Secretary decides the plan is adequate to promote the objectives of this section and the plan—

(A) implements performance-based activities, including deployment of technology to