

Mar. 18, 2010, 124 Stat. 87; Pub. L. 111-322, title II, §2202(h), Dec. 22, 2010, 124 Stat. 3525; Pub. L. 112-5, title II, §202(h), Mar. 4, 2011, 125 Stat. 17; Pub. L. 112-30, title I, §122(g), Sept. 16, 2011, 125 Stat. 349, provided that:

“(a) ESTABLISHMENT.—The Secretary [of Transportation] shall establish a grant program for persons to train operators of commercial motor vehicles (as defined in section 31301 of title 49, United States Code). The purpose of the program shall be to train operators and future operators in the safe use of such vehicles.

“(b) FEDERAL SHARE.—The Federal share of the cost for which a grant is made under this section shall be 80 percent.

“(c) FUNDING.—From amounts made available under section 31104(i) of title 49, United States Code, the Secretary shall make available \$1,000,000 for each of fiscal years 2005 through 2011 and \$500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012, to carry out this section.”

CDL TASK FORCE

Pub. L. 109-59, title IV, §4135, Aug. 10, 2005, 119 Stat. 1744, provided that:

“(a) IN GENERAL.—The Secretary [of Transportation] shall convene a task force to study and address current impediments and foreseeable challenges to the commercial driver’s license program’s effectiveness and measures needed to realize the full safety potential of the commercial driver’s license program, including such issues as—

- “(1) State enforcement practices;
- “(2) operational procedures to detect and deter fraud;
- “(3) needed improvements for seamless information sharing between States;
- “(4) effective methods for accurately sharing electronic data between States;
- “(5) adequate proof of citizenship;
- “(6) updated technology; and
- “(7) timely notification from judicial bodies concerning traffic and criminal convictions of commercial driver’s license holders.

“(b) MEMBERSHIP.—Members of the task force should include State motor vehicle administrators, organizations representing government agencies or officials, members of the Judicial Conference, representatives of the trucking industry, representatives of labor organizations, safety advocates, and other significant stakeholders.

“(c) REPORT.—Not later than 2 years after the date of enactment of this Act [Aug. 10, 2005], the Secretary, on behalf of the task force, shall complete a report of the task forces [sic] findings and recommendations for legislative, regulatory, and enforcement changes to improve the commercial drivers [sic] license program and submit such the [sic] report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(d) FUNDING.—From the funds amounts made available by section 4101(c)(1) [119 Stat. 1715], \$200,000 shall be available for each of fiscal years 2006 and 2007 to carry out this section.”

EXEMPTIONS FROM REQUIREMENTS RELATING TO COMMERCIAL MOTOR VEHICLES AND THEIR OPERATORS

For provisions relating to waiver of requirements of this chapter with respect to vehicles used for snow or ice removal, see section 229(a)(5) of Pub. L. 106-159, set out as a note under section 31136 of this title.

§ 31302. Commercial driver’s license requirement

No individual shall operate a commercial motor vehicle without a valid commercial driver’s license issued in accordance with section 31308. An individual operating a commercial motor vehicle may have only one driver’s license at any time and may have only one learner’s permit at any time.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1015; Pub. L. 105-178, title IV, §4011(b)(1), June 9, 1998, 112 Stat. 407; Pub. L. 109-59, title IV, §4122(1), Aug. 10, 2005, 119 Stat. 1734.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31302	49 App.:2701.	Oct. 27, 1986, Pub. L. 99-570, §12002, 100 Stat. 3207-170.

The words “Effective July 1, 1987” are omitted as executed. The words after “issued a driver’s license” are omitted as expired.

AMENDMENTS

2005—Pub. L. 109-59 inserted “and may have only one learner’s permit at any time” before period at end.

1998—Pub. L. 105-178 amended section catchline and text generally. Prior to amendment, text read as follows: “An individual operating a commercial motor vehicle may have only one driver’s license at any time, except during the 10-day period beginning on the date the individual is issued a driver’s license.”

§ 31303. Notification requirements

(a) VIOLATIONS.—An individual operating a commercial motor vehicle, having a driver’s license issued by a State, and violating a State or local law on motor vehicle traffic control (except a parking violation) shall notify the individual’s employer of the violation. If the violation occurred in a State other than the issuing State, the individual also shall notify a State official designated by the issuing State. The notifications required by this subsection shall be made not later than 30 days after the date the individual is found to have committed the violation.

(b) REVOCATIONS, SUSPENSIONS, AND CANCELLATIONS.—An employee who has a driver’s license revoked, suspended, or canceled by a State, who loses the right to operate a commercial motor vehicle in a State for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify the employee’s employer of the action not later than 30 days after the date of the action.

(c) PREVIOUS EMPLOYMENT.—(1) Subject to paragraph (2) of this subsection, an individual applying for employment as an operator of a commercial motor vehicle shall notify the prospective employer, at the time of the application, of any previous employment as an operator of a commercial motor vehicle.

(2) The Secretary of Transportation shall prescribe by regulation the period for which notice of previous employment must be given under paragraph (1) of this subsection. However, the period may not be less than the 10-year period ending on the date of the application.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1016.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31303	49 App.:2702.	Oct. 27, 1986, Pub. L. 99-570, §12003, 100 Stat. 3207-171.

In this section, the words “Effective July 1, 1987” are omitted as executed.

In subsection (c)(1), the words “operates a commercial motor vehicle and” and “with an employer” are omitted as surplus.

§ 31304. Employer responsibilities

An employer may not knowingly allow an employee to operate a commercial motor vehicle in the United States during a period in which the employee—

- (1) has a driver’s license revoked, suspended, or canceled by a State, has lost the right to operate a commercial motor vehicle in a State, or has been disqualified from operating a commercial motor vehicle; or
- (2) has more than one driver’s license (except as allowed under section 31302 of this title).

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1016.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31304	49 App.:2703.	Oct. 27, 1986, Pub. L. 99–570, §12004, 100 Stat. 3207–171.

In this section, before clause (1), the words “Effective July 1, 1987” are omitted as executed. The words “permit, or authorize” are omitted as surplus. Clause (2) is substituted for 49 App.:2703(2) to eliminate unnecessary words.

§ 31305. General driver fitness and testing

(a) MINIMUM STANDARDS FOR TESTING AND FITNESS.—The Secretary of Transportation shall prescribe regulations on minimum standards for testing and ensuring the fitness of an individual operating a commercial motor vehicle. The regulations—

- (1) shall prescribe minimum standards for written and driving tests of an individual operating a commercial motor vehicle;
- (2) shall require an individual who operates or will operate a commercial motor vehicle to take a driving test in a vehicle representative of the type of vehicle the individual operates or will operate;
- (3) shall prescribe minimum testing standards for the operation of a commercial motor vehicle and may prescribe different minimum testing standards for different classes of commercial motor vehicles;
- (4) shall ensure that an individual taking the tests has a working knowledge of—
 - (A) regulations on the safe operation of a commercial motor vehicle prescribed by the Secretary and contained in title 49, Code of Federal Regulations; and
 - (B) safety systems of the vehicle;
- (5) shall ensure that an individual who operates or will operate a commercial motor vehicle carrying a hazardous material—
 - (A) is qualified to operate the vehicle under regulations on motor vehicle transportation of hazardous material prescribed under chapter 51 of this title;
 - (B) has a working knowledge of—
 - (i) those regulations;
 - (ii) the handling of hazardous material;
 - (iii) the operation of emergency equipment used in response to emergencies arising out of the transportation of hazardous material; and

- (iv) appropriate response procedures to follow in those emergencies; and

(C) is licensed by a State to operate the vehicle after having first been determined under section 5103a of this title as not posing a security risk warranting denial of the license.

(6) shall establish minimum scores for passing the tests;

(7) shall ensure that an individual taking the tests is qualified to operate a commercial motor vehicle under regulations prescribed by the Secretary and contained in title 49, Code of Federal Regulations, to the extent the regulations apply to the individual; and

(8) may require—

(A) issuance of a certification of fitness to operate a commercial motor vehicle to an individual passing the tests; and

(B) the individual to have a copy of the certification in the individual’s possession when the individual is operating a commercial motor vehicle.

(b) REQUIREMENTS FOR OPERATING VEHICLES.—

(1) Except as provided in paragraph (2) of this subsection, an individual may operate a commercial motor vehicle only if the individual has passed written and driving tests that meet the minimum standards prescribed by the Secretary under subsection (a) of this section to operate the vehicle and has a commercial driver’s license to operate the vehicle.

(2) The Secretary may prescribe regulations providing that an individual may operate a commercial motor vehicle for not more than 90 days if the individual—

(A) passes a driving test for operating a commercial motor vehicle that meets the minimum standards prescribed under subsection (a) of this section; and

(B) has a driver’s license that is not suspended, revoked, or canceled.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1016; Pub. L. 106–159, title II, §201(d), Dec. 9, 1999, 113 Stat. 1760; Pub. L. 107–56, title X, §1012(b), Oct. 26, 2001, 115 Stat. 397.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31305(a)	49 App.:2704(a).	Oct. 27, 1986, Pub. L. 99–570, §12005(a), (b), 100 Stat. 3207–171.
31305(b)	49 App.:2704(b).	

In this section, the word “Federal” is omitted as unnecessary.

In subsection (a), before clause (1), the words “Not later than July 15, 1988” are omitted as obsolete. In clause (3), the words “if the Secretary considers appropriate to carry out the objectives of this title” are omitted as unnecessary.

In subsection (b)(1), the words “taken and” are omitted as unnecessary. The text of 49 App.:2704(b)(3) is omitted as obsolete.

AMENDMENTS

2001—Subsec. (a)(5)(C). Pub. L. 107–56 added subpar. (C).

1999—Subsec. (b)(1). Pub. L. 106–159 struck out “to operate the vehicle” after “written and driving tests” and inserted “to operate the vehicle and has a commercial