

“(3) whether a process should be established to allow drivers—

“(A) to correct errors in their records; and

“(B) to expunge information from their records after a reasonable period of time.

“(c) REPORT.—Not later than 2 years after the date of the enactment of this Act [Dec. 9, 1999], the Secretary shall submit to Congress a report on the study carried out under this section, together with such recommendations as the Secretary determines appropriate.”

POST-ACCIDENT ALCOHOL TESTING

Pub. L. 105-178, title IV, §4020, June 9, 1998, 112 Stat. 414, provided that:

“(a) STUDY.—The Secretary [of Transportation] shall conduct a study of the feasibility of utilizing law enforcement officers for conducting post-accident alcohol testing of commercial motor vehicle operators under section 31306 of title 49, United States Code, as a method of obtaining more timely information. The study shall also assess the impact of the current post-accident alcohol testing requirements on motor carrier employers, including any burden that employers may encounter in meeting the testing requirements of such section 31306.

“(b) REPORT.—Not later than 18 months after the date of enactment of this Act [June 9, 1998], the Secretary shall transmit to Congress a report on the study, together with such recommendations as the Secretary determines appropriate.”

**§ 31307. Minimum training requirements for operators of longer combination vehicles**

(a) DEFINITION.—In this section, “longer combination vehicle” means a vehicle consisting of a truck tractor and more than one trailer or semitrailer that operates on the Dwight D. Eisenhower System of Interstate and Defense Highways with a gross vehicle weight of more than 80,000 pounds.

(b) REQUIREMENTS.—Not later than December 18, 1994, the Secretary of Transportation shall prescribe regulations establishing minimum training requirements for operators of longer combination vehicles. The training shall include certification of an operator’s proficiency by an instructor who has met the requirements established by the Secretary.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1020.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31307(a) .....	49 App.:2302 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4007(f), 105 Stat. 2153.
31307(b) .....	49 App.:2302 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4007(b), 105 Stat. 2152.

In subsection (a), the words “a vehicle consisting” are substituted for “any combination” for clarity. The words “Dwight D. Eisenhower System of Interstate and Defense Highways” are substituted for “National System of Interstate and Defense Highways” because of the Act of October 15, 1990 (Public Law 101-427, 104 Stat. 927).

In subsection (b), the words “Not later than 60 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding” are omitted as executed.

**§ 31308. Commercial driver’s license**

After consultation with the States, the Secretary of Transportation shall prescribe regulations on minimum uniform standards for the issuance of commercial drivers’ licenses and learner’s permits by the States and for information to be contained on each of the licenses and permits. The standards shall require at a minimum that—

(1) an individual issued a commercial driver’s license pass written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards prescribed by the Secretary under section 31305(a) of this title;

(2) before a commercial driver’s license learner’s permit may be issued to an individual, the individual must pass a written test, that complies with the minimum standards prescribed by the Secretary under section 31305(a), on the operation of the commercial motor vehicle that the individual will be operating under the permit;

(3) the license or learner’s permit be tamperproof to the maximum extent practicable and each license or learner’s permit issued after January 1, 2001, include unique identifiers (which may include biometric identifiers) to minimize fraud and duplication; and

(4) the license or learner’s permit contain—

(A) the name and address of the individual issued the license or learner’s permit and a physical description of the individual;

(B) the social security account number or other number or information the Secretary decides is appropriate to identify the individual;

(C) the class or type of commercial motor vehicle the individual is authorized to operate under the license or learner’s permit;

(D) the name of the State that issued the license or learner’s permit; and

(E) the dates between which the license or learner’s permit is valid.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1020; Pub. L. 105-178, title IV, §4011(c)(1), June 9, 1998, 112 Stat. 407; Pub. L. 109-59, title IV, §4122(2), Aug. 10, 2005, 119 Stat. 1734; Pub. L. 110-244, title III, §301(g), June 6, 2008, 122 Stat. 1616.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31308 .....	49 App.:2705.	Oct. 27, 1986, Pub. L. 99-570, §12006, 100 Stat. 3207-175.

The words “Not later than July 15, 1988” are omitted as obsolete.

AMENDMENTS

2008—Pub. L. 110-244 amended Pub. L. 109-59, §4122(2)(A). See 2005 Amendment note below.

2005—Pub. L. 109-59, §4122(2)(B), substituted “the licenses and permits” for “the licenses” in introductory provisions.

Pub. L. 109-59, §4122(2)(A), as amended by Pub. L. 110-244, inserted “and learner’s permits” after “licenses” in introductory provisions.

Par. (2). Pub. L. 109-59, §4122(2)(D), added par. (2). Former par. (2) redesignated (3).

Pars. (3), (4). Pub. L. 109-59, §4122(2)(C), (E), redesignated pars. (2) and (3) as (3) and (4), respectively, and inserted “or learner’s permit” after “license” wherever appearing.

1998—Par. (2). Pub. L. 105-178 inserted before semicolon “and each license issued after January 1, 2001, include unique identifiers (which may include biometric identifiers) to minimize fraud and duplication”.

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-244 effective as of the date of enactment of Pub. L. 109-59 (Aug. 10, 2005) and to be treated as included in Pub. L. 109-59 as of that date, and provisions of Pub. L. 109-59, as in effect on the day before June 6, 2008, that are amended by Pub. L. 110-244 to be treated as not enacted, see section 121(b) of Pub. L. 110-244, set out as a note under section 101 of Title 23, Highways.

## DEADLINE FOR ISSUANCE OF REGULATIONS

Pub. L. 105-178, title IV, § 4011(c)(2), June 9, 1998, 112 Stat. 407, provided that: "Not later than 180 days after the date of enactment of this Act [June 9, 1998], the Secretary [of Transportation] shall issue regulations to carry out the amendment made by paragraph (1) [amending this section]."

### § 31309. Commercial driver's license information system

(a) **GENERAL REQUIREMENT.**—The Secretary of Transportation shall maintain an information system that will serve as a clearinghouse and depository of information about the licensing, identification, and disqualification of operators of commercial motor vehicles. The system shall be coordinated with activities carried out under section 31106. The Secretary shall consult with the States in carrying out this section.

(b) **CONTENTS.**—(1) At a minimum, the information system under this section shall include for each operator of a commercial motor vehicle—

(A) information the Secretary considers appropriate to ensure identification of the operator;

(B) the name, address, and physical description of the operator;

(C) the social security account number of the operator or other number or information the Secretary considers appropriate to identify the operator;

(D) the name of the State that issued the license or learner's permit to the operator;

(E) the dates between which the license or learner's permit is valid; and

(F) whether the operator had a commercial motor vehicle driver's license or learner's permit revoked, suspended, or canceled by a State, lost the right to operate a commercial motor vehicle in a State for any period, or has been disqualified from operating a commercial motor vehicle.

(2) The information system under this section must accommodate any unique identifiers required to minimize fraud or duplication of a commercial driver's license or learner's permit under section 31308(2).<sup>1</sup>

(c) **AVAILABILITY OF INFORMATION.**—Information in the information system shall be made available and subject to review and correction in accordance with the policy developed under section 31106(e).

(d) **FEE SYSTEM.**—The Secretary may establish a fee system for using the information system. Fees collected under this subsection in a fiscal year shall equal as nearly as possible the costs of operating the information system in that fiscal year. The Secretary shall deposit fees col-

lected under this subsection in the Highway Trust Fund (except the Mass Transit Account).

(e) **MODERNIZATION PLAN.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this subsection, the Secretary shall develop and publish a comprehensive national plan to modernize the information system under this section that—

(A) complies with applicable Federal information technology security standards;

(B) provides for the electronic exchange of all information including the posting of convictions;

(C) contains self auditing features to ensure that data is being posted correctly and consistently by the States;

(D) integrates the commercial driver's license and the medical certificate; and

(E) provides a schedule for modernization of the system.

(2) **CONSULTATION.**—The plan shall be developed in consultation with representatives of the motor carrier industry, State safety enforcement agencies, and State licensing agencies designated by the Secretary.

(3) **STATE FUNDING OF FUTURE EFFORTS.**—The plan shall specify that States will fund future efforts to modernize the commercial driver's information system.

(4) **DEADLINE FOR STATE PARTICIPATION.**—

(A) **IN GENERAL.**—The Secretary shall establish in the plan a date by which all States must be operating commercial driver's license information systems that are compatible with the modernized information system under this section.

(B) **FACTORS TO CONSIDER.**—In establishing the date under subparagraph (A), the Secretary shall consider the following:

(i) Availability and cost of technology and equipment needed to comply with subparagraph (A).

(ii) Time necessary to install, and test the operation of, such technology and equipment.

(5) **IMPLEMENTATION.**—The Secretary shall implement the plan developed under subsection (a) and modernize the information system under this section to meet the requirements of the plan.

(f) **FUNDING.**—At the Secretary's discretion, a State may use the funds made available to the State under section 31313 to modernize its commercial driver's license information system to be compatible with the modernized information system under this section.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1020; Pub. L. 105-178, title IV, § 4011(d), June 9, 1998, 112 Stat. 407; Pub. L. 109-59, title IV, §§ 4122(2)(E), 4123(a), Aug. 10, 2005, 119 Stat. 1734; Pub. L. 110-244, title III, § 301(h), June 6, 2008, 122 Stat. 1616.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31309(a) .....	49 App.:2706(a).	Oct. 27, 1986, Pub. L. 99-570, § 12007, 100 Stat. 3207-175.
31309(b) .....	49 App.:2706(b).	
31309(c) .....	49 App.:2706(c).	

<sup>1</sup> See References in Text note below.