

statement. The term “motor carrier” is substituted for “common carriers by motor vehicle” and “contract carriers by motor vehicle” because they are inclusive.

In subsection (b)(2), the words “when needed” are substituted for “if need therefor is found” to eliminate unnecessary words.

In subsection (c), the word “prescribe” is substituted for “establish” for consistency. The word “reasonable” is omitted as surplus. The words “for a total distance of” are omitted as unnecessary because of the restatement. The words “at least” are substituted for “more than” for consistency. The word “line” is omitted as surplus. The words “possession of the United States” are added for consistency in the revised title. The words “a foreign country” and “the District of Columbia” are omitted as unnecessary because a carrier crossing the boundary of a foreign country or the District of Columbia into or from the United States would necessarily cross the boundary of a State and be covered by the provision related to a State.

#### REFERENCES IN TEXT

Section 345 of the National Highway System Designation Act of 1995, referred to in subsec. (e)(4), is section 345 of Pub. L. 104-59, which was set out as a note under section 31136 of this title, prior to repeal by Pub. L. 109-59, title IV, §4115(d), Aug. 10, 2005, 119 Stat. 1726. The text of section 345 of Pub. L. 104-59 was inserted as part of section 229 of Pub. L. 106-159, as added by section 4115(a) of Pub. L. 109-59, and is set out as a note under section 31136 of this title.

#### AMENDMENTS

2005—Subsec. (e)(2). Pub. L. 109-59, §4145(b)(1), substituted “Field Administrator of the Federal Motor Carrier Safety Administration” for “Regional Director of the Federal Highway Administration”.

Subsec. (e)(3). Pub. L. 109-59, §4145(b)(2), substituted “Field Administrator” for “Regional Director” in introductory provisions.

1998—Subsec. (e). Pub. L. 105-178 added subsec. (e).

1995—Subsec. (a)(1). Pub. L. 104-88 substituted “13501 and 13502” for “10521 and 10522”.

1994—Pub. L. 103-272 renumbered section 3102 of this title as this section and amended it generally, restating it without substantive change.

1984—Subsec. (d). Pub. L. 98-554 added subsec. (d).

#### EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of this title.

#### SAVINGS PROVISION

Pub. L. 100-690, title IX, §9102(c), Nov. 18, 1988, 102 Stat. 4529, provided that: “The amendment made by subsection (a) [amending section 2505 of former Title 49, Transportation] shall not be construed as having any effect on the enactment of subsection (d) of section 3102 [now 31502] of title 49, United States Code, which subsection (d) was added to such section by section 206(h) of the Motor Carrier Safety Act of 1984 [Pub. L. 98-554] on October 30, 1984.”

#### CONTINUED APPLICATION OF SAFETY AND MAINTENANCE REQUIREMENTS

Pub. L. 105-178, title IV, §4012(b), June 9, 1998, 112 Stat. 409, provided that:

“(1) IN GENERAL.—The amendment made by subsection (a) [amending this section] may not be construed—

“(A) to exempt any utility service vehicle from compliance with any applicable provision of law relating to vehicle mechanical safety, maintenance requirements, or inspections; or

“(B) to exempt any driver of a utility service vehicle from any applicable provision of law (including any regulation) established for the issuance, maintenance, or periodic renewal of a commercial driver’s license for that driver.

“(2) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) COMMERCIAL DRIVER’S LICENSE.—The term ‘commercial driver’s license’ has the meaning that term has under section 31301 of title 49, United States Code.

“(B) DRIVER OF A UTILITY SERVICE VEHICLE.—The term ‘driver of a utility service vehicle’ has the meaning that term has under section 31502(e)(2) of such title [probably should be section 31502(e)(4)(A) of such title].

“(C) REGULATION.—The term ‘regulation’ has the meaning that term has under section 31132 of such title.

“(D) UTILITY SERVICE VEHICLE.—The term ‘utility service vehicle’ has the meaning that term has under section 345(e)(6) of the National Highway System Designation Act of 1995 [Pub. L. 104-59] (49 U.S.C. 31136 note; 109 Stat. 614-615).”

#### STUDY OF ADEQUACY OF PARKING FACILITIES

Pub. L. 105-178, title IV, §4027, June 9, 1998, 112 Stat. 417, provided that:

“(a) STUDY.—The Secretary [of Transportation] shall conduct a study to determine the location and quantity of parking facilities at commercial truck stops and travel plazas and public rest areas that could be used by motor carriers to comply with Federal hours of service rules. The study shall include an inventory of current facilities serving the National Highway System, analyze where shortages exist or are projected to exist, and propose a plan to reduce the shortages. The study may be carried out in cooperation with research entities representing motor carriers, the travel plaza industry, and commercial motor vehicle drivers.

“(b) REPORT.—Not later than the 3 years after the date of the enactment of this Act [June 9, 1998], the Secretary shall transmit to Congress a report on the results of the study with any recommendations the Secretary determines appropriate as a result of the study.

“(c) FUNDING.—From amounts set aside under section 104(a) of title 23, United States Code, for each of fiscal years 1999, 2000, and 2001, the Secretary may use not to exceed \$500,000 per fiscal year to carry out this section.”

#### EXEMPTIONS FROM REQUIREMENTS RELATING TO COMMERCIAL MOTOR VEHICLES AND THEIR OPERATORS

For provisions relating to exemptions from regulations prescribed under this section as to maximum driving and on-duty time for drivers used by motor carriers, see section 345 of Pub. L. 104-59, set out as a note under section 31136 of this title.

#### § 31503. Research, investigation, and testing

(a) GENERAL AUTHORITY.—The Secretary of Transportation may investigate and report on the need for regulation by the United States Government of sizes, weight, and combinations of motor vehicles and qualifications and maximum hours of service of employees of a motor carrier subject to subchapter I of chapter 135 of this title and a motor private carrier. The Secretary shall use the services of each department, agency, or instrumentality of the Government and each organization of motor carriers having special knowledge of a matter being investigated.

(b) USE OF SERVICES.—In carrying out this chapter, the Secretary may use the services of a department, agency, or instrumentality of the Government having special knowledge about safety, to conduct scientific and technical research, investigation, and testing when necessary to promote safety of operation and equip-

ment of motor vehicles. The Secretary may reimburse the department, agency, or instrumentality for the services provided.

(Pub. L. 97-449, Jan. 12, 1983, 96 Stat. 2439, §3103; renumbered §31503 and amended Pub. L. 103-272, §1(c), (e), July 5, 1994, 108 Stat. 745, 1030; Pub. L. 104-88, title III, §308(k)(4), Dec. 29, 1995, 109 Stat. 948.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3103(a) .....	49:325.  49:1655(e)(6)(B).	Feb. 4, 1887, ch. 104, 24 Stat. 379, §226; added Aug. 9, 1935, ch. 498, 49 Stat. 566; Sept. 18, 1940, ch. 722, §26(b), 54 Stat. 929. Oct. 15, 1966, Pub. L. 89-670, §6(e)(6)(B), (C), 80 Stat. 939.
3103(b) .....	49:304(a)(5).  49:1655(e)(6)(C).	Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(5); added Aug. 9, 1935, ch. 498, 49 Stat. 546.

In subsection (a), the words “subject to subchapter II of chapter 105 of this title” are added for clarity. The word “services” is substituted for “assistance” for consistency. The words “department, agency, or instrumentality of the United States Government” are substituted for “departments or bureaus of the Government” for consistency.

In subsection (b), the words “In carrying out this chapter” are substituted for “For the purpose of carrying out the provisions pertaining to safety” to eliminate unnecessary words. The words “department . . . or instrumentality” are added for consistency. The word “reimburse” is substituted for “transfer . . . such funds” for consistency. The words “as may be necessary and available to make this provision effective” are omitted as unnecessary because of the restatement.

AMENDMENTS

1995—Subsec. (a). Pub. L. 104-88 substituted “subchapter I of chapter 135” for “subchapter II of chapter 105”.

1994—Pub. L. 103-272 renumbered section 3103 of this title as this section and amended it generally, restating it without substantive change.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of this title.

§ 31504. Identification of motor vehicles

(a) GENERAL AUTHORITY.—The Secretary of Transportation may—

(1) issue and require the display of an identification plate on a motor vehicle used in transportation provided by a motor private carrier and a motor carrier of migrant workers subject to section 31502(c) of this title, except a motor contract carrier; and

(2) require each of those motor private carriers and motor carriers of migrant workers to pay the reasonable cost of the plate.

(b) LIMITATION.—A motor private carrier or a motor carrier of migrant workers may use an identification plate only as authorized by the Secretary.

(Pub. L. 97-449, Jan. 12, 1983, 96 Stat. 2439, §3104; renumbered §31504 and amended Pub. L. 103-272, §1(c), (e), July 5, 1994, 108 Stat. 745, 1030.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3104(a) .....	49:304(a)(3) (last sentence) (related to “Sec. 324”).  49:304(a)(3a) (last sentence) (related to “Sec. 324”).  49:1655(e)(6)(D) (related to “Sec. 324”).	Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3) (last sentence) (related to “Sec. 224”); added Aug. 9, 1935, ch. 498, 49 Stat. 546. Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3a) (last sentence) (related to “Sec. 224”); added Aug. 3, 1956, ch. 905, §2, 70 Stat. 958. Oct. 15, 1966, Pub. L. 89-670, §6(e)(6)(D) (related to “Sec. 224”), 80 Stat. 940.
3104(b) .....	49:304(a)(3) (last sentence) (related to “Sec. 324”). 49:304(a)(3a) (last sentence) (related to “Sec. 324”). 49:1655(e)(6)(D) (related to “Sec. 324”).	

The section is included to reflect the text of former 49:324 (related to motor private carriers and motor carriers of migrant workers) which is incorporated in the revised title by cross-reference.

AMENDMENTS

1994—Pub. L. 103-272 renumbered section 3104 of this title as this section and amended it generally, restating it without substantive change.

CHAPTER 317—PARTICIPATION IN INTERNATIONAL REGISTRATION PLAN AND INTERNATIONAL FUEL TAX AGREEMENT

Sec.

- 31701. Definitions.
- [31702, 31703. Repealed.]
- 31704. Vehicle registration.
- 31705. Fuel use tax.
- 31706. Enforcement.
- 31707. Limitations on statutory construction.
- [31708. Repealed.]

AMENDMENTS

1998—Pub. L. 105-178, title IV, §4013, June 9, 1998, 112 Stat. 409, struck out items 31702 “Working group”, 31703 “Grants”, and 31708 “Authorization of appropriations”.

§ 31701. Definitions

In this chapter—

(1) “commercial motor vehicle”, with respect to—

(A) the International Registration Plan, has the same meaning given the term “apportionable vehicle” under the Plan; and

(B) the International Fuel Tax Agreement, has the same meaning given the term “qualified motor vehicle” under the Agreement.

(2) “fuel use tax” means a tax imposed on or measured by the consumption of fuel in a motor vehicle.

(3) “International Fuel Tax Agreement” means the interstate agreement on collecting and distributing fuel use taxes paid by motor carriers, developed under the auspices of the National Governors’ Association.

(4) “International Registration Plan” means the interstate agreement on apportioning vehicle registration fees paid by motor carriers, developed by the American Association of Motor Vehicle Administrators.

(5) “Regional Fuel Tax Agreement” means the interstate agreement on collecting and