

are participating in the National Driver Register's "Problem Driver Pointer System" (the system used by the Register to effect the exchange of motor vehicle driving records) and that the system is functioning properly.

(3) TRANSITION PERIOD.—Any agreement entered into under this subsection shall include a provision for a transition period sufficient to allow the States to make the budgetary and legislative changes the States may need to pay fees charged by the organization representing their interests for their use of the National Driver Register's computer time-share and user assistance functions. During this transition period, the Secretary shall continue to fund these transferred functions.

(4) FEES.—The total of the fees charged by the organization representing the interests of the States in any fiscal year for the use of the National Driver Register's computer time-share and user assistance functions shall not exceed the total cost to the organization of performing these functions in such fiscal year.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed to diminish, limit, or otherwise affect the authority of the Secretary to carry out this chapter.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 973; Pub. L. 105-178, title II, §2006(a), June 9, 1998, 112 Stat. 335; Pub. L. 112-141, div. C, title I, §31104, July 6, 2012, 126 Stat. 741.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                          |
|-----------------|--------------------|---|
| 30302 .....     | 23:401 (note).     | Oct. 25, 1982, Pub. L. 97-364, §203, 96 Stat. 1741. |

In subsection (a), before clause (1), the words "after the date of enactment of this title [Oct. 25, 1982]" are omitted as obsolete.

In subsection (c)(1), the words "The Secretary shall provide by regulation" are substituted for "The Secretary shall, within eighteen months after the date of enactment of this title [Oct. 25, 1982], promulgate a final rule which provides" to eliminate executed language, for consistency in the revised title, and because "rule" and "regulation" are synonymous.

The text of section 203(e) of the National Driver Register Act of 1982 (Public Law 97-364, 96 Stat. 1742) is omitted as unnecessary because of 49:322(a).

REFERENCES IN TEXT

Act of July 14, 1960, referred to in subsec. (c)(1), (2)(A), is set out below.

AMENDMENTS

2012—Subsec. (b). Pub. L. 112-141 inserted at end "The Secretary shall make continual improvements to modernize the Register's data processing system."

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

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

REGISTER OF REVOCATIONS OF MOTOR VEHICLE OPERATOR'S LICENSES

Pub. L. 86-660, July 14, 1960, 74 Stat. 526, as amended by Pub. L. 87-359, Oct. 4, 1961, 75 Stat. 779; Pub. L. 89-563, title IV, §401, Sept. 9, 1966, 80 Stat. 730, provided:

"That the Secretary of Commerce shall establish and maintain a register identifying each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn (except a withdrawal for less than six months based on a series of nonmoving violations) an individual's license or privilege to operate a motor vehicle.

"SEC. 2. Only at the request of a State, a political subdivision thereof, or a Federal department or agency, shall the Secretary furnish information contained in the register established under the first section of this Act, and such information shall be furnished only to the requesting party and only with respect to an individual applicant for a motor vehicle operator's license or permit.

"SEC. 3. As used in this Act, the term 'State' includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa."

§ 30303. State participation

(a) NOTIFICATION.—A State may become a participating State under this chapter by notifying the Secretary of Transportation of its intention to be bound by section 30304 of this title.

(b) WITHDRAWAL.—A participating State may end its status as a participating State by notifying the Secretary of its withdrawal from participation in the National Driver Register.

(c) FORM AND WAY OF NOTIFICATION.—Notification by a State under this section shall be made in the form and way the Secretary prescribes by regulation.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 974.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                          |
|-----------------|--------------------|---|
| 30303 .....     | 23:401 (note).     | Oct. 25, 1982, Pub. L. 97-364, §204, 96 Stat. 1742. |

In subsection (c), the words "in the form and way" are substituted for "in such form, and according to such procedures" to eliminate unnecessary words.

§ 30304. Reports by chief driver licensing officials

(a) INDIVIDUALS COVERED.—As soon as practicable, the chief driver licensing official of each participating State shall submit to the Secretary of Transportation a report containing the information specified by subsection (b) of this section for each individual—

- (1) who is denied a motor vehicle operator's license by that State for cause;
- (2) whose motor vehicle operator's license is revoked, suspended, or canceled by that State for cause; or
- (3) who is convicted under the laws of that State of any of the following motor vehicle-related offenses or comparable offenses:

- (A) operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance.
- (B) a traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways.
- (C) failing to give aid or provide identification when involved in an accident resulting in death or personal injury.
- (D) perjury or knowingly making a false affidavit or statement to officials about ac-

tivities governed by a law or regulation on the operation of a motor vehicle.

(b) CONTENTS.—(1) Except as provided in paragraph (2) of this subsection, a report under subsection (a) of this section shall contain—

(A) the individual's legal name, date of birth, sex, and, at the Secretary's discretion, height, weight, and eye and hair color;

(B) the name of the State providing the information; and

(C) the social security account number if used by the State for driver record or motor vehicle license purposes, and the motor vehicle operator's license number if different from the social security account number.

(2) A report under subsection (a) of this section about an event that occurs during the 2-year period before the State becomes a participating State is sufficient if the report contains all of the information that is available to the chief driver licensing official when the State becomes a participating State.

(c) TIME FOR FILING.—If a report under subsection (a) of this section is about an event that occurs—

(1) during the 2-year period before the State becomes a participating State, the report shall be submitted not later than 6 months after the State becomes a participating State; or

(2) after the State becomes a participating State, the report shall be submitted not later than 31 days after the motor vehicle department of the State receives any information specified in subsection (b)(1) of this section that is the subject of the report.

(d) EVENTS OCCURRING BEFORE PARTICIPATION.—This section does not require a State to report information about an event that occurs before the 2-year period before the State becomes a participating State.

(e) DRIVER RECORD INQUIRY.—Before issuing a motor vehicle operator's license to an individual or renewing such a license, a State shall request from the Secretary information from the National Driver Register under section 30302 and the commercial driver's license information system under section 31309 on the individual's driving record.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 975; Pub. L. 106-159, title II, §204, Dec. 9, 1999, 113 Stat. 1762.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>                   |
|------------------------|---------------------------|---|
| 30304 .....            | 23:401 (note).            | Oct. 25, 1982, Pub. L. 97-364, §205, 96 Stat. 1742. |

In subsection (a), before clause (1), the words “after the date of enactment of this title [Oct. 25, 1982]” are omitted as obsolete.

In subsection (b)(1)(A), the words “(including day, month, and year)” are omitted as surplus.

In subsection (b)(2), the words “A report under subsection (a) of this section” are substituted for “any report concerning an occurrence specified in subsection (a)(1), (2), or (3) of this section” to eliminate unnecessary words.

In subsection (c), before clause (1), the words “required to be transmitted by a chief driver licensing official of a State” are omitted as surplus. In clause (1),

the words “specified in subsection (a)(1), (2), or (3) of this section” are omitted as surplus. In clause (2), the words “the motor vehicle department of the State receives any information specified in subsection (b)(1) of this section that is the subject of the report” are substituted for “receipt by a State motor vehicle department of any information specified in subsection (b)(1), (2), or (3) of this section which is the subject of such report” because of the restatement.

AMENDMENTS

1999—Subsec. (e). Pub. L. 106-159 added subsec. (e).

§ 30305. Access to Register information

(a) REFERRALS OF INFORMATION REQUESTS.—(1) To carry out duties related to driver licensing, driver improvement, or transportation safety, the chief driver licensing official of a participating State may request the Secretary of Transportation to refer, electronically or by United States mail, a request for information about the motor vehicle driving record of an individual to the chief driver licensing official of a State of record.

(2) The Secretary of Transportation shall relay, electronically or by United States mail, information received from the chief driver licensing official of a State of record in response to a request under paragraph (1) of this subsection to the chief driver licensing official of the participating State requesting the information. However, the Secretary may refuse to relay information to the chief driver licensing official of a participating State that does not comply with section 30304 of this title.

(b) REQUESTS TO OBTAIN INFORMATION.—(1) The Chairman of the National Transportation Safety Board and the Administrator of the Federal Highway Administration may request the chief driver licensing official of a State to obtain information under subsection (a) of this section about an individual who is the subject of an accident investigation conducted by the Board or the Administrator. The Chairman and the Administrator may receive the information.

(2) An individual who is employed, or is seeking employment, as a driver of a motor vehicle may request the chief driver licensing official of the State in which the individual is employed or seeks employment to provide information about the individual under subsection (a) of this section to the individual's employer or prospective employer. An employer or prospective employer may receive the information and shall make the information available to the individual. Information may not be obtained from the National Driver Register under this paragraph if the information was entered in the Register more than 3 years before the request, unless the information is about a revocation or suspension still in effect on the date of the request.

(3) An individual who has received, or is applying for, an airman's certificate may request the chief driver licensing official of a State to provide information about the individual under subsection (a) of this section to the Administrator of the Federal Aviation Administration. The Administrator may receive the information and shall make the information available to the individual for review and written comment. The Administrator may use the information to verify information required to be reported to the