

paragraphs (4) and (5), respectively". Because the reference to "section 206(b)(4)" in section 208 of the National Driver Register Act of 1982 appears to have been incorrect before that amendment, and would continue to be incorrect if the reference is redesignated as required by the amendment, a reference to section 30305(b)(6) is used in this section to carry out the probable intent of Congress.

REFERENCES IN TEXT

Section 30305(b) of this title, referred to in subsec. (a), was amended by Pub. L. 105-178, title II, §2006(b)(2)(A), (B), June 9, 1998, 112 Stat. 336, which added a new par. (6) and redesignated former par. (6) as (10).

§ 30308. Authorization of appropriations

(a) GENERAL.—The Secretary of Transportation shall make available from amounts made available to carry out section 402 of title 23 \$4,000,000 for each of the fiscal years ending September 30, 1993, and September 30, 1994, \$2,550,000 for each of fiscal years 1995, 1996, and 1997, and \$1,855,000 for the period of October 1, 1997, through March 31, 1998, to carry out this chapter.

(b) AVAILABILITY OF AMOUNTS.—Amounts authorized under this section remain available until expended.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 979; Pub. L. 103-331, title III, §343, Sept. 30, 1994, 108 Stat. 2496; Pub. L. 103-429, §6(25), Oct. 31, 1994, 108 Stat. 4380; Pub. L. 104-59, title III, §343, Nov. 28, 1995, 109 Stat. 610; Pub. L. 104-287, §5(59), Oct. 11, 1996, 110 Stat. 3394; Pub. L. 105-18, title II, §8004, June 12, 1997, 111 Stat. 195; Pub. L. 105-130, §6(c), Dec. 1, 1997, 111 Stat. 2559.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30308, 23:401 (note), Oct. 25, 1982, Pub. L. 97-364, §211, 96 Stat. 1747; Dec. 18, 1991, Pub. L. 102-240, §2007, 105 Stat. 2080.

In subsection (a), the text of section 211(a) of the National Driver Register Act of 1982 (Public Law 97-364, 96 Stat. 1747) is omitted as executed. The words "and the provisions of Public Law 86-660 (74 Stat. 526)" and references to fiscal years 1983-1987 and 1992 are omitted as obsolete. The word "section" in the source provision is translated as if it were "title" to reflect the apparent intent of Congress.

PUB. L. 103-429

This amends 49:30308(b) to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 979).

PUB. L. 104-287

This amends 49:30308 to correct a grammatical error.

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-130 substituted "1994," for "1994, and" and inserted "and \$1,855,000 for the period of October 1, 1997, through March 31, 1998," after "1997,".

Pub. L. 105-18 substituted ", 1996, and 1997" for "and 1996" .

1996—Subsec. (a). Pub. L. 104-287 inserted a comma after "September 30, 1994" .

1995—Subsec. (a). Pub. L. 104-59 substituted "and \$2,550,000 for each of fiscal years 1995 and 1996" for "and \$2,550,000 for fiscal year 1995" .

1994—Subsec. (a). Pub. L. 103-331 inserted "and \$2,550,000 for fiscal year 1995" after "1994" .

Subsec. (b). Pub. L. 103-429 substituted "authorized" for "appropriated" .

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

CHAPTER 305—NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM

- Sec. 30501. Definitions.
30502. National Motor Vehicle Title Information System.
30503. State participation.
30504. Reporting requirements.
30505. Penalties and enforcement.

AMENDMENTS

1997—Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215, amended directory language of Pub. L. 104-152. See 1996 Amendment note below.

1996—Pub. L. 104-152, §2(c), July 2, 1996, 110 Stat. 1384, as amended by Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215, substituted "National Motor Vehicle Title Information System" for "National Automobile Title Information System" in chapter heading and in item 30502.

§ 30501. Definitions

In this chapter—

(1) "automobile" has the same meaning given that term in section 32901(a) of this title.

(2) "certificate of title" means a document issued by a State showing ownership of an automobile.

(3) "insurance carrier" means an individual or entity engaged in the business of underwriting automobile insurance.

(4) "junk automobile" means an automobile that—

(A) is incapable of operating on public streets, roads, and highways; and

(B) has no value except as a source of parts or scrap.

(5) "junk yard" means an individual or entity engaged in the business of acquiring or owning junk automobiles for—

(A) resale in their entirety or as spare parts; or

(B) rebuilding, restoration, or crushing.

(6) "operator" means the individual or entity authorized or designated as the operator of the National Motor Vehicle Title Information System under section 30502(b) of this title, or the Attorney General, if there is no authorized or designated individual or entity.

(7) "salvage automobile" means an automobile that is damaged by collision, fire, flood, accident, trespass, or other event, to the extent that its fair salvage value plus the cost of repairing the automobile for legal operation on public streets, roads, and highways would be more than the fair market value of the automobile immediately before the event that caused the damage.

(8) "salvage yard" means an individual or entity engaged in the business of acquiring or owning salvage automobiles for—

- (A) resale in their entirety or as spare parts; or
- (B) rebuilding, restoration, or crushing.

(9) “State” means a State of the United States or the District of Columbia.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 979; Pub. L. 104–152, §§2(c), 3(a), July 2, 1996, 110 Stat. 1384; Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30501	15:2041.	Oct. 25, 1992, Pub. L. 102–519, §201, 106 Stat. 3389.

In subsection (a)(2), the word “showing” is substituted for “evidencing” to use a more commonly understood term.

In subsection (a)(3), (5), and (8), the words “individual or entity” are substituted for “individual, corporation, or other entity” for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (a)(4) and (7), the words “public streets, roads, and highways” are substituted for “roads or highways” for clarity and consistency in the revised title.

In subsection (a)(6), the words “National Automobile Title Information System” are substituted for “information system” for clarity. The words “no authorized or designated individual or entity” are substituted for “no such individual or entity is authorized” for clarity.

In subsection (a)(7), the word “event” is substituted for “occurrence” for clarity and consistency.

The text of 15:2041(9) is omitted because the complete title of the Secretary of Transportation is used the first time the term appears in a section.

AMENDMENTS

1997—Par. (6). Pub. L. 105–102 amended directory language of Pub. L. 104–152, §2(c). See 1996 Amendment note below.

1996—Par. (6). Pub. L. 104–152, §3(a), substituted “Attorney General” for “Secretary of Transportation”.

Pub. L. 104–152, §2(c), as amended by Pub. L. 105–102, §3(b), substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System”.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(b) is effective July 2, 1996.

Amendment by Pub. L. 105–102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105–102, set out as a note under section 106 of this title.

§ 30502. National Motor Vehicle Title Information System

(a) ESTABLISHMENT OR DESIGNATION.—(1) In cooperation with the States and not later than December 31, 1997, the Attorney General shall establish a National Motor Vehicle Title Information System that will provide individuals and entities referred to in subsection (e) of this section with instant and reliable access to information maintained by the States related to automobile titling described in subsection (d) of this section. However, if the Attorney General decides that the existing information system meets the requirements of subsections (d) and (e) of this section and will permit the Attorney

General to carry out this chapter as early as possible, the Attorney General, in consultation with the Secretary of Transportation, may designate an existing information system as the National Motor Vehicle Title Information System.

(2) In cooperation with the Secretary of Transportation and the States, the Attorney General shall ascertain the extent to which title and related information to be included in the system established under paragraph (1) of this subsection will be adequate, timely, reliable, uniform, and capable of assisting in efforts to prevent the introduction or reintroduction of stolen vehicles and parts into interstate commerce.

(b) OPERATION.—The Attorney General may authorize the operation of the System established or designated under subsection (a)(1) of this section by agreement with one or more States, or by designating, after consulting with the States, a third party that represents the interests of the States.

(c) USER FEES.—Operation of the System established or designated under subsection (a)(1) of this section shall be paid for by user fees and should be self-sufficient and not be dependent on amounts from the United States Government. The amount of fees the operator collects and keeps under this subsection subject to annual appropriation laws, excluding fees the operator collects and pays to an entity providing information to the operator, may be not more than the costs of operating the System.

(d) INFORMATION REQUIREMENTS.—The System established or designated under subsection (a)(1) of this section shall permit a user of the System at least to establish instantly and reliably—

- (1) the validity and status of a document purporting to be a certificate of title;
- (2) whether an automobile bearing a known vehicle identification number is titled in a particular State;
- (3) whether an automobile known to be titled in a particular State is or has been a junk automobile or a salvage automobile;
- (4) for an automobile known to be titled in a particular State, the odometer mileage disclosure required under section 32705 of this title for that automobile on the date the certificate of title for that automobile was issued and any later mileage information, if noted by the State; and
- (5) whether an automobile bearing a known vehicle identification number has been reported as a junk automobile or a salvage automobile under section 30504 of this title.

(e) AVAILABILITY OF INFORMATION.—(1) The operator shall make available—

- (A) to a participating State on request of that State, information in the System about any automobile;
- (B) to a Government, State, or local law enforcement official on request of that official, information in the System about a particular automobile, junk yard, or salvage yard;
- (C) to a prospective purchaser of an automobile on request of that purchaser, including an auction company or entity engaged in the business of purchasing used automobiles, information in the System about that automobile; and