

AMENDMENTS

2012—Subsec. (a)(5). Pub. L. 112-141, § 32305(b)(1)(A), substituted “Not later than the time period prescribed by the Secretary by regulation,” for “At least 60 days before issuing a commercial driver’s license (or a short-term period the Secretary prescribes by regulation).”

Subsec. (a)(12). Pub. L. 112-196 amended par. (12) generally. Prior to amendment, par. (12) read as follows: “The State may issue a commercial driver’s license only to an individual who operates or will operate a commercial motor vehicle and is domiciled in the State, except that, under regulations the Secretary shall prescribe, the State may issue a commercial driver’s license to an individual who operates or will operate a commercial motor vehicle and is not domiciled in a State that issues commercial drivers’ licenses.”

Subsec. (a)(22). Pub. L. 112-141, § 32203(b), added par. (22).

Subsec. (a)(23), (24). Pub. L. 112-141, § 32305(b)(1)(B), added pars. (23) and (24).

Subsec. (a)(25). Pub. L. 112-141, § 32302(d), added par. (25).

Subsecs. (d), (e). Pub. L. 112-141, § 32305(b)(2), added subsecs. (d) and (e).

2005—Subsec. (a)(15). Pub. L. 109-59, § 4123(b)(1), substituted “(i)(1)(A) and (i)(2)” for “(g)(1)(A), and (g)(2)”.

Subsec. (a)(17). Pub. L. 109-59, § 4123(b)(2), substituted “as 31310(j)” for “section 31310(h)”.

Subsec. (a)(21). Pub. L. 109-59, § 4123(b)(3), added par. (21).

1999—Subsec. (a)(6). Pub. L. 106-159, § 202(a), inserted “or renewing such a license” after “to an individual” and struck out “commercial” after “has issued a”.

Subsec. (a)(8). Pub. L. 106-159, § 202(b), inserted “, and the violation that resulted in the disqualification, revocation, suspension, or cancellation shall be recorded” before the period at end.

Subsec. (a)(9). Pub. L. 106-159, § 202(c), amended par. (9) generally. Prior to amendment, par. (9) read as follows: “If an individual operating a commercial motor vehicle violates a State or local law on motor vehicle traffic control (except a parking violation) and the individual has a driver’s license issued by another State, the State in which the violation occurred shall notify a State official designated by the issuing State of the violation not later than 10 days after the date the individual is found to have committed the violation.”

Subsec. (a)(10). Pub. L. 106-159, § 202(d), designated existing provisions as subpar. (A) and added subpar. (B).

Subsec. (a)(13). Pub. L. 106-159, § 202(e), inserted “consistent with this chapter that” after “penalties”, substituted “vehicle.” for “vehicle when the individual—”, and struck out pars. (A) to (C) which read as follows:

“(A) does not have a commercial driver’s license;

“(B) has a driver’s license revoked, suspended, or canceled; or

“(C) is disqualified from operating a commercial motor vehicle.”

Subsec. (a)(18) to (20). Pub. L. 106-159, § 202(f)–(h), added pars. (18) to (20).

1998—Subsec. (a)(15). Pub. L. 105-178, § 4011(e)(1), substituted “subsections (b)–(e), (g)(1)(A), and (g)(2) of section 31310” for “section 31310(b)–(e) of this title”.

Subsec. (a)(17), (18). Pub. L. 105-178, § 4011(e)(2), (3), re-designated par. (18) as (17) and struck out former par. (17) which read as follows: “The State shall adopt and enforce regulations prescribed by the Secretary under section 31310(g)(1)(A) and (2) of this title.”

1995—Subsec. (a)(18). Pub. L. 104-88 added par. (18).

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.

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.

STATE-TO-STATE NOTIFICATION OF VIOLATIONS DATA

Pub. L. 106-159, title II, § 221, Dec. 9, 1999, 113 Stat. 1769, provided that:

“(a) DEVELOPMENT.—In cooperation with the States, the Secretary shall develop a uniform system to support the electronic transmission of data State-to-State on convictions for all motor vehicle traffic control law violations by individuals possessing a commercial drivers’ licenses as required by paragraphs (9) and (19) of section 31311(a) of title 49, United States Code.

“(b) STATUS REPORT.—Not later than 2 years after the date of the enactment of this Act [Dec. 9, 1999], the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of the implementation of this section.”

§ 31312. Decertification authority

(a) IN GENERAL.—If the Secretary of Transportation determines that a State is in substantial noncompliance with this chapter, the Secretary shall issue an order to—

(1) prohibit that State from carrying out licensing procedures under this chapter; and

(2) prohibit that State from issuing any commercial driver’s licenses until such time the Secretary determines such State is in substantial compliance with this chapter.

(b) EFFECT ON OTHER STATES.—A State (other than a State subject to an order under subsection (a)) may issue a non-resident commercial driver’s license to an individual domiciled in a State that is prohibited from such activities under subsection (a) if that individual meets all requirements of this chapter and the non-resident licensing requirements of the issuing State.

(c) PREVIOUSLY ISSUED LICENSES.—Nothing in this section shall be construed as invalidating or otherwise affecting commercial driver’s licenses issued by a State before the date of issuance of an order under subsection (a) with respect to the State.

(Added Pub. L. 106-159, title II, § 203(a), Dec. 9, 1999, 113 Stat. 1762.)

PRIOR PROVISIONS

A prior section 31312, Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1025, related to grants for testing and ensuring the fitness of operators of commercial motor vehicles, prior to repeal by Pub. L. 105-178, title IV, § 4011(f), June 9, 1998, 112 Stat. 408.

§ 31313. Grants for commercial driver’s license program implementation

(a) COMMERCIAL DRIVER’S LICENSE PROGRAM IMPROVEMENT GRANTS.—

(1) PROGRAM GOAL.—The Secretary of Transportation may make a grant to a State in a fiscal year—

(A) to comply with the requirements of section 31311;

(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of this section and section 31311, to improve its implementation of its commercial driver’s license program, including expenses—

(i) for computer hardware and software;

(ii) for publications, testing, personnel, training, and quality control;

(iii) for commercial driver's license program coordinators;

(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012.

(2) PROHIBITIONS.—A State may not use grant funds under this subsection to rent, lease, or buy land or buildings.

(b) HIGH-PRIORITY ACTIVITIES.—

(1) GRANTS FOR NATIONAL CONCERNS.—The Secretary may make a grant to a State agency, local government, or other person for 100 percent of the costs of research, development, demonstration projects, public education, and other special activities and projects relating to commercial driver licensing and motor vehicle safety that are of benefit to all jurisdictions of the United States or are designed to address national safety concerns and circumstances.

(2) FUNDING.—The Secretary may deduct up to 10 percent of the amounts made available to carry out this section for a fiscal year to make grants under this subsection.

(c) EMERGING ISSUES.—The Secretary may designate up to 10 percent of the amounts made available to carry out this section for a fiscal year for allocation to a State agency, local government, or other person at the discretion of the Secretary to address emerging issues relating to commercial driver's license improvements.

(d) APPORTIONMENT.—Except as otherwise provided in subsection (c), all amounts made available to carry out this section for a fiscal year shall be apportioned to States according to criteria prescribed by the Secretary.

(Added Pub. L. 109-59, title IV, §4124(a), Aug. 10, 2005, 119 Stat. 1736; amended Pub. L. 112-141, div. C, title II, §32604(a), (b)(1), July 6, 2012, 126 Stat. 808, 809.)

REFERENCES IN TEXT

Section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012, referred to in subsec. (a)(1)(B)(iv), is section 32303(b) of title II of div. C of Pub. L. 112-141, which is set out as a note under section 31304 of this title.

PRIOR PROVISIONS

A prior section 31313, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1027, related to grants for issuing commercial drivers' licenses and complying with State participation requirements, prior to repeal by Pub. L. 105-178, title IV, §4011(f), June 9, 1998, 112 Stat. 408.

AMENDMENTS

2012—Pub. L. 112-141, §32604(b)(1), substituted "implementation" for "improvements" in section catchline.

Subsec. (a). Pub. L. 112-141, §32604(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) related to grants for commercial driver's license program improvements.

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.

Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

§31314. Withholding amounts for State non-compliance

(a) FIRST FISCAL YEAR.—The Secretary of Transportation shall withhold up to 5 percent of the amount required to be apportioned to a State under section 104(b)(1), (3), and (4)¹ of title 23 on the first day of the fiscal year after the first fiscal year beginning after September 30, 1992, throughout which the State does not comply substantially with a requirement of section 31311(a) of this title.

(b) SECOND FISCAL YEAR.—The Secretary shall withhold up to 10 percent of the amount required to be apportioned to a State under section 104(b)(1), (3), and (4)¹ of title 23 on the first day of each fiscal year after the 2d fiscal year beginning after September 30, 1992, throughout which the State does not comply substantially with a requirement of section 31311(a) of this title.

(c) PENALTIES IMPOSED IN FISCAL YEAR 2012 AND THEREAFTER.—Effective beginning on October 1, 2011—

(1) the penalty for the first instance of non-compliance by a State under this section shall be not more than an amount equal to 4 percent of funds required to be apportioned to the non-compliant State under paragraphs (1) and (2) of section 104(b) of title 23; and

(2) the penalty for subsequent instances of noncompliance shall be not more than an amount equal to 8 percent of funds required to be apportioned to the noncompliant State under paragraphs (1) and (2) of section 104(b) of title 23.

(d) AVAILABILITY FOR APPORTIONMENT.—Amounts withheld under this section from apportionment to a State after September 30, 1995, are not available for apportionment to the State.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1028; Pub. L. 105-178, title IV, §4011(g), (h), June 9, 1998, 112 Stat. 408; Pub. L. 105-206, title IX, §9010, July 22, 1998, 112 Stat. 863; Pub. L. 109-59, title IV, §4124(c), Aug. 10, 2005, 119 Stat. 1738; Pub. L. 112-141, div. A, title I, §1404(j), July 6, 2012, 126 Stat. 559.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31314(a)	49 App.:2710(a).	Oct. 27, 1986, Pub. L. 99-570, §12011, 100 Stat. 3207-183.
31314(b)	49 App.:2710(b).	
31314(c)	49 App.:2710(c)(1).	
31314(d)	49 App.:2710(c)(2), (3).	
31314(e)	49 App.:2710(c)(4).	

In this section, the word "amounts" is substituted for "funds" and "sums" for consistency in the revised title.

In subsection (e), the words "by the Secretary" are omitted as surplus.

REFERENCES IN TEXT

Section 104(b)(1), (3), and (4) of title 23, referred to in subsecs. (a) and (b), probably refers to section 104(b)(1),

¹ See References in Text note below.