

substance the possession of which is prohibited under the Controlled Substances Act; or (B) the operation of a motor vehicle under the influence of such a substance.

(3) CONVICTED.—The term “convicted” includes adjudicated under juvenile proceedings.

(Added Pub. L. 102-143, title III, § 333(a), Oct. 28, 1991, 105 Stat. 944; amended Pub. L. 102-388, title III, § 327(a), Oct. 6, 1992, 106 Stat. 1547; Pub. L. 105-178, title I, § 1103(l)(3)(E), June 9, 1998, 112 Stat. 126; Pub. L. 112-141, div. A, title I, § 1404(g), July 6, 2012, 126 Stat. 558.)

REFERENCES IN TEXT

The date of enactment of the Transportation Equity Act for the 21st Century, referred to in subsec. (a)(1), is the date of enactment of Pub. L. 105-178, which was approved June 9, 1998.

The effective date of this section, referred to in subsec. (a)(1), (3)(B)(i), is Nov. 5, 1990. See section 333(e) of Pub. L. 102-143, set out as a note below.

The Controlled Substances Act, referred to in subsecs. (a)(3)(A)(i)(I) and (c)(2)(A), is title II of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1242, which is classified principally to subchapter I (§ 801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

AMENDMENTS

2012—Subsec. (a)(1), (2). Pub. L. 112-141, § 1404(g)(1), designated par. (2) as (1), struck out “(including any amounts withheld under paragraph (1))” after “10 percent”, added par. (2), and struck out former par. (1). Prior to amendment, text of par. (1) read as follows: “For each fiscal year the Secretary shall withhold 5 percent of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (5) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century) of section 104(b) on the first day of each fiscal year which begins after the second calendar year following the effective date of this section if the State does not meet the requirements of paragraph (3) on such date.”

Subsec. (b). Pub. L. 112-141, § 1404(g)(2), added subsec. (b) and struck out former subsec. (b) which related to period of availability of withheld funds and effects of compliance and noncompliance.

1998—Subsec. (a)(1), (2). Pub. L. 105-178, § 1103(l)(3)(E)(i), substituted “(5) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century) of” for “(5) of” before “section 104(b)”.

Subsec. (b)(1)(A)(i). Pub. L. 105-178, § 1103(l)(3)(E)(ii)(I), substituted “section 104(b)(5)(A) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century)” for “section 104(b)(5)(A)”.

Subsec. (b)(1)(A)(ii). Pub. L. 105-178, § 1103(l)(3)(E)(ii)(II), substituted “section 104(b)(5)(B) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century)” for “section 104(b)(5)(B)”.

Subsec. (b)(1)(A)(iii). Pub. L. 105-178, § 1103(l)(3)(E)(i), substituted “(5) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century) of” for “(5) of” before “section 104(b)”.

Subsec. (b)(3). Pub. L. 105-178, § 1103(l)(3)(E)(ii)(IV), substituted “section 104(b)(5) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century)” for “section 104(b)(5)” in concluding provisions.

Subsec. (b)(3)(A). Pub. L. 105-178, § 1103(l)(3)(E)(ii)(I), substituted “section 104(b)(5)(A) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century)” for “section 104(b)(5)(A)”.

Subsec. (b)(3)(B). Pub. L. 105-178, § 1103(l)(3)(E)(ii)(III), substituted “(5)(B) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century)” for “(5)(B)”.

Subsec. (b)(4). Pub. L. 105-178, § 1103(l)(3)(E)(ii)(IV), substituted “section 104(b)(5) (as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century)” for “section 104(b)(5)”.

1992—Pub. L. 102-388 amended section generally, substituting “Beginning in fiscal year 1994” for “After second calendar year” as subsec. (a)(1) heading, “paragraphs (1), (3), and (5)” for “paragraphs (1), (2), (5), and (6)” in subsec. (a)(1) and (2), “Beginning in fiscal year 1996” for “After fourth calendar year” as subsec. (a)(2) heading, “paragraph (1), (3), or (5)” for “paragraph (1), (2), or (6)” in subsec. (b)(1)(A)(iii), and “paragraph (1), (3), or (5)(B)” for “paragraph (1), (2), (5)(B), or (6)” in subsec. (b)(3)(B).

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 this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-388, title III, § 327(b), Oct. 6, 1992, 106 Stat. 1550, provided that: “The amendments made by subsection (a) of this section [amending this section] shall take effect November 5, 1990.”

EFFECTIVE DATE

Pub. L. 102-143, title III, § 333(e), Oct. 28, 1991, 105 Stat. 947, provided that: “The amendments made by subsection (a) of this section [enacting this section] shall take effect November 5, 1990.”

STUDY ON STATE COMPLIANCE WITH REQUIREMENTS FOR REVOCATION AND SUSPENSION OF DRIVERS' LICENSES

Pub. L. 102-240, title I, § 1094, Dec. 18, 1991, 105 Stat. 2025, provided that:

“(a) STUDY.—The Secretary shall conduct a study of State efforts to comply with the provisions of section 333 of the Department of Transportation and Related Agencies Appropriations Acts, 1991 and 1992 [section 333 of Pub. L. 102-143 (1992 Act) enacted this section and provisions set out as a note above and repealed section 333 of Pub. L. 101-516 (1991 Act) which amended section 104 of this title and enacted provisions set out as a note thereunder], relating to revocation and suspension of drivers' licenses.

“(b) REPORT.—Not later than December 31, 1992, the Secretary shall transmit to Congress a report on the results of the study conducted under this section.”

[§ 160. Repealed. Pub. L. 112-141, div. A, title I, § 1519(b)(1)(A), July 6, 2012, 126 Stat. 575]

Section, added Pub. L. 102-240, title I, § 1014(a), Dec. 18, 1991, 105 Stat. 1941, related to reimbursement for segments of the Interstate System constructed without Federal assistance.

EFFECTIVE DATE OF REPEAL

Repeal 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 this title.

§ 161. Operation of motor vehicles by intoxicated minors

(a) WITHHOLDING OF APPORTIONMENTS FOR NON-COMPLIANCE.—

(1) PRIOR TO FISCAL YEAR 2012.—The Secretary shall withhold 10 percent (including any amounts withheld under paragraph (1)) of the amount required to be apportioned to any