

paragraph (3) may commence a civil action against the person to whom such order was issued to require compliance with such order. The appropriate United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such order.

(B) **ATTORNEY FEES.**—The court, in issuing any final order under this paragraph, may award costs of litigation (including reasonable attorney and expert witness fees) to any party whenever the court determines such award is appropriate.

(c) **MANDAMUS.**—Any nondiscretionary duty imposed under this section shall be enforceable in a mandamus proceeding brought under section 1361 of title 28.

(d) **NONAPPLICABILITY TO DELIBERATE VIOLATIONS.**—Subsection (a) shall not apply with respect to an employee of a motor vehicle manufacturer, part supplier, or dealership who, acting without direction from such motor vehicle manufacturer, part supplier, or dealership (or such person's agent), deliberately causes a violation of any requirement relating to motor vehicle safety under this chapter.

(Added Pub. L. 112–141, div. C, title I, §31307(a), July 6, 2012, 126 Stat. 765.)

EFFECTIVE DATE

Section 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.

SUBCHAPTER V—MOTOR VEHICLE SAFETY RESEARCH AND DEVELOPMENT

§ 30181. Policy

The Secretary of Transportation shall conduct research, development, and testing on any area or aspect of motor vehicle safety necessary to carry out this chapter.

(Added Pub. L. 112–141, div. C, title I, §31204(a), July 6, 2012, 126 Stat. 759.)

EFFECTIVE DATE

Section 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.

§ 30182. Powers and duties

(a) **IN GENERAL.**—The Secretary of Transportation shall—

(1) conduct motor vehicle safety research, development, and testing programs and activities, including activities related to new and emerging technologies that impact or may impact motor vehicle safety;

(2) collect and analyze all types of motor vehicle and highway safety data and related information to determine the relationship between motor vehicle or motor vehicle equipment performance characteristics and—

(A) accidents involving motor vehicles; and

(B) deaths or personal injuries resulting from those accidents.

(b) **ACTIVITIES.**—In carrying out a program under this section, the Secretary of Transportation may—

(1) promote, support, and advance the education and training of motor vehicle safety staff of the National Highway Traffic Safety Administration in motor vehicle safety research programs and activities, including using program funds for planning, implementing, conducting, and presenting results of program activities, and for related expenses;

(2) obtain experimental and other motor vehicles and motor vehicle equipment for research or testing;

(3)(A) use any test motor vehicles and motor vehicle equipment suitable for continued use, as determined by the Secretary to assist in carrying out this chapter or any other chapter of this title; or

(B) sell or otherwise dispose of test motor vehicles and motor vehicle equipment and use the resulting proceeds to carry out this chapter;

(4) award grants to States and local governments, interstate authorities, and nonprofit institutions; and

(5) enter into cooperative agreements, collaborative research, or contracts with Federal agencies, interstate authorities, State and local governments, other public entities, private organizations and persons, nonprofit institutions, colleges and universities, consumer advocacy groups, corporations, partnerships, sole proprietorships, trade associations, Federal laboratories (including government-owned, government-operated laboratories and government-owned, contractor-operated laboratories), and research organizations.

(c) **USE OF PUBLIC AGENCIES.**—In carrying out this subchapter, the Secretary shall avoid duplication by using the services, research, and testing facilities of public agencies, as appropriate.

(d) **FACILITIES.**—The Secretary may plan, design, and construct a new facility or modify an existing facility to conduct research, development, and testing in traffic safety, highway safety, and motor vehicle safety. An expenditure of more than \$1,500,000 for planning, design, or construction may be made only if 60 days prior notice of the planning, design, or construction is provided to the Committees on Science, Space, and Technology and Transportation and Infrastructure of the House of Representatives and the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate. The notice shall include—

(1) a brief description of the facility being planned, designed, or constructed;

(2) the location of the facility;

(3) an estimate of the maximum cost of the facility;

(4) a statement identifying private and public agencies that will use the facility and the contribution each agency will make to the cost of the facility; and

(5) a justification of the need for the facility.

(e) **INCREASING COSTS OF APPROVED FACILITIES.**—The estimated maximum cost of a facility noticed under subsection (d) may be increased by an amount equal to the percentage increase

in construction costs from the date the notice is submitted to Congress. However, the increase in the cost of the facility may not be more than 10 percent of the estimated maximum cost included in the notice. The Secretary shall decide what increase in construction costs has occurred.

(f) AVAILABILITY OF INFORMATION, PATENTS, AND DEVELOPMENTS.—When the United States Government makes more than a minimal contribution to a research or development activity under this chapter, the Secretary shall include in the arrangement for the activity a provision to ensure that all information, patents, and developments related to the activity are available to the public. The owner of a background patent may not be deprived of a right under the patent. (Added Pub. L. 112-141, div. C, title I, §31204(a), July 6, 2012, 126 Stat. 759.)

EFFECTIVE DATE

Section 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.

§ 30183. Prohibition on certain disclosures

Any report of the National Highway Traffic Safety Administration, or of any officer, employee, or contractor of the National Highway Traffic Safety Administration, relating to any highway traffic accident or the investigation of such accident conducted pursuant to this chapter or section 403 of title 23, may be made available to the public only in a manner that does not identify individuals.

(Added Pub. L. 112-141, div. C, title I, §31204(a), July 6, 2012, 126 Stat. 760.)

EFFECTIVE DATE

Section 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.

CHAPTER 303—NATIONAL DRIVER REGISTER

- Sec. 30301. Definitions.
- 30302. National Driver Register.
- 30303. State participation.
- 30304. Reports by chief driver licensing officials.
- 30305. Access to Register information.
- 30306. National Driver Register Advisory Committee.
- 30307. Criminal penalties.
- 30308. Authorization of appropriations.

§ 30301. Definitions

In this chapter—

(1) “alcohol” has the same meaning given that term in regulations prescribed by the Secretary of Transportation.

(2) “chief driver licensing official” means the official in a State who is authorized to—

(A) maintain a record about a motor vehicle operator’s license issued by the State; and

(B) issue, deny, revoke, suspend, or cancel a motor vehicle operator’s license issued by the State.

(3) “controlled substance” has the same meaning given that term in section 102 of the

Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802).

(4) “motor vehicle” means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on public streets, roads, or highways, but does not include a vehicle operated only on a rail line.

(5) “motor vehicle operator’s license” means a license issued by a State authorizing an individual to operate a motor vehicle on public streets, roads, or highways.

(6) “participating State” means a State that has notified the Secretary under section 30303 of this title of its participation in the National Driver Register.

(7) “State” means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

(8) “State of record” means a State that has given the Secretary a report under section 30304 of this title about an individual who is the subject of a request for information made under section 30305 of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 973.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30301	23:401 (note).	Oct. 25, 1982, Pub. L. 97-364, §202, 96 Stat. 1740.

In clauses (4) and (5), the words “public streets, roads, or highways” are substituted for “highway” and “highway” means any road or street” for consistency in the revised title.

In clause (4), the words “rail line” are substituted for “rail or rails” for consistency in the revised title.

The definitions of “Secretary”, “Register”, and “Register system” are omitted as surplus because the complete name of the Secretary of Transportation and the National Driver Register are used the first time the terms appear in a section.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

PROTECTION OF DOMESTIC VIOLENCE AND CRIME VICTIMS FROM CERTAIN DISCLOSURES OF INFORMATION

Pub. L. 109-162, title VIII, §827, Jan. 5, 2006, 119 Stat. 3066, provided that: “In developing regulations or guidance with regard to identification documents, including driver’s licenses, the Secretary of Homeland Security, in consultation with the Administrator of Social Security, shall consider and address the needs of victims, including victims of battery, extreme cruelty, domestic violence, dating violence, sexual assault, stalking or trafficking, who are entitled to enroll in State address confidentiality programs, whose addresses are entitled to be suppressed under State or Federal law or suppressed by a court order, or who are protected from disclosure of information pursuant to section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367).”

IMPROVED SECURITY FOR DRIVERS’ LICENSES AND PERSONAL IDENTIFICATION CARDS

Pub. L. 110-177, title V, §508, Jan. 7, 2008, 121 Stat. 2543, provided that: