

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).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

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 1301 of this title.

REGULATIONS

Pub. L. 114-94, div. A, title V, § 5401(c), Dec. 4, 2015, 129 Stat. 1547, provided that: “Not later than December 31, 2015, the Secretary [of Transportation] shall issue final regulations to implement the exemption to the domicile requirement under section 31311(a)(12)(C) of title 49, United States Code.”

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.)

Editorial Notes

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. Commercial driver’s license program implementation financial assistance program

(a) FINANCIAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver’s license program implementation for the purposes described in paragraphs (2) and (3).

(2) STATE COMMERCIAL DRIVER’S LICENSE PROGRAM IMPLEMENTATION GRANTS.—In carrying out the program, the Secretary may make a grant to a State agency in a fiscal year—

(A) to assist the State in complying with the requirements of section 31311; and

(B) in the case of a State that is making a good faith effort toward substantial compli-

ance with the requirements of section 31311, to improve the State's 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; and

(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 (49 U.S.C. 31304 note).

(3) **PRIORITY ACTIVITIES.**—The Secretary may make a grant to or enter into a cooperative agreement with a State agency, local government, or any person in a fiscal year for research, development and testing, demonstration projects, public education, and other special activities and projects relating to commercial drivers licensing and motor vehicle safety that—

(A) benefit all jurisdictions of the United States;

(B) address national safety concerns and circumstances;

(C) address emerging issues relating to commercial driver's license improvements;

(D) support innovative ideas and solutions to commercial driver's license program issues;

(E) support, in addition to funds otherwise available for such purposes, the recognition, prevention, and reporting of human trafficking; or

(F) address other commercial driver's license issues, as determined by the Secretary.

(b) **PROHIBITIONS.**—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

(c) **REPORT.**—The Secretary shall issue an annual report on the activities carried out under this section.

(d) **APPORTIONMENT.**—All amounts made available to carry out this section for a fiscal year shall be apportioned to a recipient described in subsection (a)(3) according to criteria prescribed by the Secretary.

(e) **FUNDING.**—For fiscal years beginning after September 30, 2016, this section shall be funded under section 31104.

(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; Pub. L. 114-94, div. A, title V, §5104(a), Dec. 4, 2015, 129 Stat. 1527; Pub. L. 115-99, §4, Jan. 3, 2018, 131 Stat. 2242.)

Editorial Notes

REFERENCES IN TEXT

Section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012, referred to in subsec. (a)(2)(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

2018—Subsec. (a)(3)(E), (F). Pub. L. 115-99 added subpar. (E) and redesignated former subpar. (E) as (F).

2015—Pub. L. 114-94 amended section generally. Prior to amendment, section related to grants for commercial driver's license program implementation.

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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2012 AMENDMENT

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RELIEF FOR RECIPIENTS OF FINANCIAL ASSISTANCE AWARDS FOR FISCAL YEARS 2019 AND 2020

Period of availability during which a recipient may expend grant amounts under this section extended for amounts awarded for fiscal years 2019 and 2020, see section 441 of div. N of Pub. L. 116-260, set out as a note under section 31102 of this title.

§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-

¹ See References in Text note below.