

a note under section 1397 of Title 15, Commerce and Trade, prior to repeal by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379.

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.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 31311 of this title.

§ 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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.

§ 30302. National Driver Register

(a) ESTABLISHMENT AND CONTENTS.—The Secretary of Transportation shall establish as soon as practicable and maintain a National Driver Register to assist chief driver licensing officials of participating States in exchanging information about the motor vehicle driving records of individuals. The Register shall contain an index of the information reported to the Secretary under section 30304 of this title. The Register shall enable the Secretary (electronically or, until all States can participate electronically, by United States mail)—

(1) to receive information submitted under section 30304 of this title by the chief driver licensing official of a State of record;

(2) to receive a request for information made by the chief driver licensing official of a participating State under section 30305 of this title;

(3) to refer the request to the chief driver licensing official of a State of record; and

(4) in response to the request, to relay information provided by a chief driver licensing official of a State of record to the chief driver licensing official of a participating State, without interception of the information.

(b) ACCURACY OF INFORMATION.—The Secretary is not responsible for the accuracy of information relayed to the chief driver licensing official of a participating State. However, the Secretary shall maintain the Register in a way that ensures against inadvertent alteration of information during a relay.

(c) TRANSITION FROM PRIOR REGISTER.—(1) The Secretary shall provide by regulation for the orderly transition from the register maintained under the Act of July 14, 1960 (Public Law 86-660, 74 Stat. 526), as restated by section 401 of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563, 80 Stat. 730), to the Register maintained under this chapter.

(2)(A) The Secretary shall delete from the Register a report or information that was compiled under the Act of July 14, 1960 (Public Law 86-660, 74 Stat. 526), as restated by section 401 of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563, 80 Stat. 730), and transferred to the Register, after the earlier of—

(i) the date the State of record removes it from the State’s file;

(ii) 7 years after the date the report or information is entered in the Register; or

(iii) the date a fully electronic Register system is established.

(B) The report or information shall be disposed of under chapter 33 of title 44.

(3) If the chief driver licensing official of a participating State finds that information provided for inclusion in the Register is erroneous or is related to a conviction of a traffic offense that subsequently is reversed, the official immediately shall notify the Secretary. The Secretary shall provide for the immediate deletion of the information from the Register.

(d) ASSIGNMENT OF PERSONNEL.—In carrying out this chapter, the Secretary shall assign personnel necessary to ensure the effective operation of the Register.

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

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30302, 23:401 (note), Oct. 25, 1982, Pub. L. 97-364, § 203, 96 Stat. 1741.

In subsection (a), before clause (1), the words "after the date of enactment of this title [Oct. 25, 1982]" are omitted as obsolete.

In subsection (c)(1), the words "The Secretary shall provide by regulation" are substituted for "The Secretary shall, within eighteen months after the date of enactment of this title [Oct. 25, 1982], promulgate a final rule which provides" to eliminate executed language, for consistency in the revised title, and because "rule" and "regulation" are synonymous.

The text of section 203(e) of the National Driver Register Act of 1982 (Public Law 97-364, 96 Stat. 1742) is omitted as unnecessary because of 49:322(a).

REFERENCES IN TEXT

Act of July 14, 1960, referred to in subsec. (c)(1), (2)(A), is set out below.

REGISTER OF REVOCATIONS OF MOTOR VEHICLE OPERATOR'S LICENSES

Pub. L. 86-660, July 14, 1960, 74 Stat. 526, as amended by Pub. L. 87-359, Oct. 4, 1961, 75 Stat. 779; Pub. L. 89-563, title IV, §401, Sept. 9, 1966, 80 Stat. 730, provided: "That the Secretary of Commerce shall establish and maintain a register identifying each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn (except a withdrawal for less than six months based on a series of nonmoving violations) an individual's license or privilege to operate a motor vehicle.

"SEC. 2. Only at the request of a State, a political subdivision thereof, or a Federal department or agency, shall the Secretary furnish information contained in the register established under the first section of this Act, and such information shall be furnished only to the requesting party and only with respect to an individual applicant for a motor vehicle operator's license or permit.

"SEC. 3. As used in this Act, the term 'State' includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa."

§ 30303. State participation

(a) NOTIFICATION.—A State may become a participating State under this chapter by notifying the Secretary of Transportation of its intention to be bound by section 30304 of this title.

(b) WITHDRAWAL.—A participating State may end its status as a participating State by notifying the Secretary of its withdrawal from participation in the National Driver Register.

(c) FORM AND WAY OF NOTIFICATION.—Notification by a State under this section shall be made

in the form and way the Secretary prescribes by regulation.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 974.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30303, 23:401 (note), Oct. 25, 1982, Pub. L. 97-364, §204, 96 Stat. 1742.

In subsection (c), the words "in the form and way" are substituted for "in such form, and according to such procedures" to eliminate unnecessary words.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 30301 of this title.

§ 30304. Reports by chief driver licensing officials

(a) INDIVIDUALS COVERED.—As soon as practicable, the chief driver licensing official of each participating State shall submit to the Secretary of Transportation a report containing the information specified by subsection (b) of this section for each individual—

(1) who is denied a motor vehicle operator's license by that State for cause;

(2) whose motor vehicle operator's license is revoked, suspended, or canceled by that State for cause; or

(3) who is convicted under the laws of that State of any of the following motor vehicle-related offenses or comparable offenses:

(A) operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance.

(B) a traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways.

(C) failing to give aid or provide identification when involved in an accident resulting in death or personal injury.

(D) perjury or knowingly making a false affidavit or statement to officials about activities governed by a law or regulation on the operation of a motor vehicle.

(b) CONTENTS.—(1) Except as provided in paragraph (2) of this subsection, a report under subsection (a) of this section shall contain—

(A) the individual's legal name, date of birth, sex, and, at the Secretary's discretion, height, weight, and eye and hair color;

(B) the name of the State providing the information; and

(C) the social security account number if used by the State for driver record or motor vehicle license purposes, and the motor vehicle operator's license number if different from the social security account number.

(2) A report under subsection (a) of this section about an event that occurs during the 2-year period before the State becomes a participating State is sufficient if the report contains all of the information that is available to the chief driver licensing official when the State becomes a participating State.

(c) TIME FOR FILING.—If a report under subsection (a) of this section is about an event that occurs—

(1) during the 2-year period before the State becomes a participating State, the report shall