

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3104(a) .....	49:304(a)(3) (last sentence) (related to "Sec. 324").	Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3) (last sentence) (related to "Sec. 224"); added Aug. 9, 1935, ch. 498, 49 Stat. 546.
	49:304(a)(3a) (last sentence) (related to "Sec. 324").	Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3a) (last sentence) (related to "Sec. 224"); added Aug. 3, 1956, ch. 905, §2, 70 Stat. 958.
	49:1655(e)(6)(D) (related to "Sec. 324").	Oct. 15, 1966, Pub. L. 89-670, §6(e)(6)(D) (related to "Sec. 224"), 80 Stat. 940.
3104(b) .....	49:304(a)(3) (last sentence) (related to "Sec. 324").	
	49:304(a)(3a) (last sentence) (related to "Sec. 324").	
	49:1655(e)(6)(D) (related to "Sec. 324").	

The section is included to reflect the text of former 49:324 (related to motor private carriers and motor carriers of migrant workers) which is incorporated in the revised title by cross-reference.

AMENDMENTS

1994—Pub. L. 103-272 renumbered section 3104 of this title as this section and amended it generally, restating it without substantive change.

**CHAPTER 317—PARTICIPATION IN INTERNATIONAL REGISTRATION PLAN AND INTERNATIONAL FUEL TAX AGREEMENT**

Sec.	
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31704.	Vehicle registration.
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31706.	Enforcement.
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**§ 31701. Definitions**

In this chapter—

(1) "commercial motor vehicle", with respect to—

(A) the International Registration Plan, has the same meaning given the term "apportionable vehicle" under the Plan; and

(B) the International Fuel Tax Agreement, has the same meaning given the term "qualified motor vehicle" under the Agreement.

(2) "fuel use tax" means a tax imposed on or measured by the consumption of fuel in a motor vehicle.

(3) "International Fuel Tax Agreement" means the interstate agreement on collecting and distributing fuel use taxes paid by motor carriers, developed under the auspices of the National Governors' Association.

(4) "International Registration Plan" means the interstate agreement on apportioning vehicle registration fees paid by motor carriers, developed by the American Association of Motor Vehicle Administrators.

(5) "Regional Fuel Tax Agreement" means the interstate agreement on collecting and distributing fuel use taxes paid by motor carriers in the States of Maine, Vermont, and New Hampshire.

(6) "State" means the 48 contiguous States and the District of Columbia.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1031.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31701 .....	49:11506 (note).	Dec. 18, 1991, Pub. L. 102-240, §4008(k), 105 Stat. 2155.

**§ 31702. Working group**

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a working group of State and local government officials, including representatives of the National Governors' Association, the American Association of Motor Vehicle Administrators, the National Conference of State Legislatures, the Federation of Tax Administrators, and the Board of Directors for the International Fuel Tax Agreement, and a representative of the Regional Fuel Tax Agreement.

(b) PURPOSES.—The purposes of the working group are—

(1) to propose procedures to resolve disputes among States participating in the International Registration Plan and among States participating in the International Fuel Tax Agreement, including designating the Secretary or any other person to resolve the disputes; and

(2) to provide technical assistance to States participating or seeking to participate in the Plan or Agreement.

(c) CONSULTATION REQUIREMENT.—In carrying out subsection (b) of this section, the working group shall consult with members of the motor carrier industry.

(d) REPORT.—(1) Not later than December 18, 1993, the working group shall submit a report to—

(A) the Secretary;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Public Works and Transportation of the House of Representatives;

(D) the Committee on the Judiciary of the House of Representatives;

(E) the States participating in the International Registration Plan; and

(F) the States participating in the International Fuel Tax Agreement.

(2) The report shall contain a detailed statement of the working group's findings and conclusions and its joint recommendations about the matters referred to in subsection (b) of this section. After submitting the report, the working group periodically may review and modify the findings and conclusions and the joint recommendations as appropriate and submit a report containing the modifications to the Secretary and the committees specified in paragraph (1) of this subsection.

(e) RELATIONSHIP TO OTHER LAWS.—The Federal Advisory Committee Act (5 App. U.S.C.) does not apply to the working group.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1031.)

## HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31702 .....	49:11506 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4008(a)-(d), 105 Stat. 2153.

In subsection (a), the words “Not later than 180 days after December 18, 1991” are omitted as obsolete. The word “comprised” is omitted as surplus.

In subsection (b)(1), the word “Secretary” is substituted for “Department of Transportation” for consistency in the revised title.

## REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

## CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31708 of this title.

## § 31703. Grants

(a) GENERAL AUTHORITY.—The Secretary of Transportation may make grants to States and appropriate persons to facilitate participation in the International Registration Plan and the International Fuel Tax Agreement and to make administrative improvements in any other base State fuel use tax agreement in existence as of January 1, 1991. A grant may include amounts for technical assistance, personnel training, travel costs, and technology and equipment associated with the participation.

(b) CONTRACTUAL OBLIGATION.—Approval by the Secretary of a grant with amounts made available under this section is a contractual obligation of the United States Government for payment of the Government’s share of the grant.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1032.)

## HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31703 .....	49:11506 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4008(e), 105 Stat. 2154.

In subsection (b), the words “Notwithstanding any other provision of law” are omitted as unnecessary.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 31708 of this title.

## § 31704. Vehicle registration

After September 30, 1996, a State that is not participating in the International Registration Plan may not establish, maintain, or enforce a commercial motor vehicle registration law, regulation, or agreement that limits the operation in that State of a commercial motor vehicle that is not registered under the laws of the State, if the vehicle is registered under the laws of a State participating in the Plan.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1032.)

## HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31704 .....	49:11506 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4008(f), 105 Stat. 2154.

The words “a State that is not participating in the International Registration Plan may not” are substituted for “no State (other than a State which is participating in the International Registration Plan) shall” for consistency in the revised title and to eliminate unnecessary words.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31706, 31707 of this title.

## § 31705. Fuel use tax

(a) REPORTING REQUIREMENTS.—After September 30, 1996, a State may establish, maintain, or enforce a law or regulation that has a fuel use tax reporting requirement (including any tax reporting form) only if the requirement conforms with the International Fuel Tax Agreement.

(b) PAYMENT.—After September 30, 1996, a State may establish, maintain, or enforce a law or regulation that provides for the payment of a fuel use tax only if the law or regulation conforms with the International Fuel Tax Agreement as it applies to collection of a fuel use tax by a single base State and proportional sharing of fuel use taxes charged among the States where a commercial motor vehicle is operated.

(c) LIMITATION.—If the International Fuel Tax Agreement is amended, a State not participating in the Agreement when the amendment is made is not subject to the conformity requirements of subsections (a) and (b) of this section in regard to the amendment until after a reasonable time, but not earlier than the expiration of—

(1) the 365-day period beginning on the first day that States participating in the Agreement are required to comply with the amendment; or

(2) the 365-day period beginning on the day the relevant office of the State receives written notice of the amendment from the Secretary of Transportation.

(d) NONAPPLICATION.—This section does not apply to a State that was participating in the Regional Fuel Tax Agreement on January 1, 1991, and that continues to participate in that Agreement after that date.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1032.)

## HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31705 .....	49:11506 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4008(g), 105 Stat. 2154.

In subsection (b), the words “as it applies to” are substituted for “with respect to” for clarity.

In subsection (c), before clause (1), the words “a State not participating in the Agreement when the amendment is made is not subject to the conformity requirements of subsections (a) and (b) of this section in re-

gard to the amendment” are substituted for “conformity by a State that is not participating in such Agreement when such amendment is made may not be required with respect to such amendment” for clarity.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 31706, 31707 of this title.

§ 31706. Enforcement

(a) CIVIL ACTIONS.—On request of the Secretary of Transportation, the Attorney General may bring a civil action in a court of competent jurisdiction to enforce compliance with sections 31704 and 31705 of this title.

(b) VENUE.—An action under this section may be brought only in the State in which an order is required to enforce compliance.

(c) RELIEF.—Subject to section 1341 of title 28, the court, on a proper showing—

- (1) shall issue a temporary restraining order or a preliminary or permanent injunction; and
(2) may require by the injunction that the State or any person comply with sections 31704 and 31705 of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1033.)

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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31706, 49:11506 (note), Dec. 18, 1991, Pub. L. 102-240, § 4008(h), 105 Stat. 2155.

In subsection (a), the words “bring a civil action . . . to enforce compliance” are substituted for “commence . . . a civil action for such injunctive relief as may be appropriate to ensure compliance” for consistency in the revised title and to eliminate unnecessary words.

In subsection (b), the words “an order is required to enforce compliance” are substituted for “relief is required to ensure such compliance” for consistency in the revised title.

§ 31707. Limitations on statutory construction

Sections 31704 and 31705 of this title do not limit the amount of money a State may charge for registration of a commercial motor vehicle or the amount of any fuel use tax a State may impose.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1033.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31707, 49:11506 (note), Dec. 18, 1991, Pub. L. 102-240, § 4008(i), 105 Stat. 2155.

§ 31708. Authorization of appropriations

(a) GENERAL.—From amounts made available under section 31104 of this title, the Secretary of Transportation shall provide the following amounts for each of the fiscal years ending September 30, 1993-1997:

- (1) \$1,000,000 for activities of the working group under section 31702 of this title.
(2) \$5,000,000 for grants under section 31703 of this title.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated under this section remain available until expended.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1033.)

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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31708, 49:11506 (note), Dec. 18, 1991, Pub. L. 102-240, § 4008(j), 105 Stat. 2155.

In subsection (a), the text of section 4008(j) (1st and 2d sentences) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240, 105 Stat. 2155) is omitted as obsolete.

PART C—INFORMATION, STANDARDS, AND REQUIREMENTS

PART REFERRED TO IN OTHER SECTIONS

This part is referred to in title 15 section 2512; title 18 sections 511, 2721.

CHAPTER 321—GENERAL

Sec.

- 32101. Definitions.
32102. Authorization of appropriations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 18 section 2721.

§ 32101. Definitions

In this part (except chapter 329 and except as provided in section 33101)—

(1) “bumper standard” means a minimum performance standard that substantially reduces—

- (A) the damage to the front or rear end of a passenger motor vehicle from a low-speed collision (including a collision with a fixed barrier) or from towing the vehicle; or
(B) the cost of repairing the damage.

(2) “insurer” means a person in the business of issuing, or reinsuring any part of, a passenger motor vehicle insurance policy.

(3) “interstate commerce” means commerce between a place in a State and—

- (A) a place in another State; or
(B) another place in the same State through another State.

(4) “make”, when describing a passenger motor vehicle, means the trade name of the manufacturer of the vehicle.

(5) “manufacturer” means a person—

- (A) manufacturing or assembling passenger motor vehicles or passenger motor vehicle equipment; or
(B) importing motor vehicles or motor vehicle equipment for resale.

(6) “model”, when describing a passenger motor vehicle, means a category of passenger motor vehicles based on the size, style, and type of a make of vehicle.

(7) “motor vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line.

(8) “motor vehicle accident” means an accident resulting from the maintenance or operation of a passenger motor vehicle or passenger motor vehicle equipment.

(9) “multipurpose passenger vehicle” means a passenger motor vehicle constructed on a