

Subsec. (c). Pub. L. 112-141, § 32306, struck out subsec. heading “COMMERCIAL MOTOR VEHICLE DRIVER SAFETY PROGRAM”, designated existing provisions as par. (1) and inserted par. heading, redesignated former pars. (1) to (4) as subpars. (A) to (D), respectively, of par. (1), and added par. (2).

Subsec. (e). Pub. L. 112-141, § 32508, designated existing provisions as par. (1) and added par. (2).

2005—Subsec. (a)(3)(F), (G). Pub. L. 109-59, § 4108(a), added subpars. (F) and (G).

Subsec. (b)(2) to (4). Pub. L. 109-59, § 4109(a), added pars. (2) to (4) and struck out former pars. (2) to (4), which related to design of program with State licensing systems in par. (2), conditions of participation in par. (3), and funding for fiscal years 1998 to 2003 in par. (4).

1998—Pub. L. 105-178 amended section catchline and text generally, substituting, in subsec. (a), provisions relating to information systems and data analysis for provisions relating to definition of commercial motor vehicle, in subsec. (b), provisions relating to performance and registration information program for provisions relating to information system, in subsec. (c), provisions relating to commercial motor vehicle driver safety program for provisions relating to demonstration project, in subsec. (d), provisions relating to cooperative agreements, grants, and contracts for provisions relating to review of State systems, and in subsec. (e), provisions relating to information availability and privacy protection policy for provisions relating to regulations, and striking out subsecs. (f) and (g), which related to report to Congress and authorization of appropriations, respectively.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by section 5102 of 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.

Amendment by section 5101(e)(2) of Pub. L. 114-94 effective Oct. 1, 2016, see section 5101(f) of Pub. L. 114-94, set out as a note under section 31102 of this title.

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.

DEEMED REFERENCES TO CHAPTERS 509 AND 511 OF TITLE 51

General references to “this title” deemed to refer also to chapters 509 and 511 of Title 51, National and Commercial Space Programs, see section 4(d)(8) of Pub. L. 111-314, set out as a note under section 101 of this title.

COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT

Pub. L. 109-59, title IV, § 4126, Aug. 10, 2005, 119 Stat. 1738, as amended by Pub. L. 114-94, div. A, title V, § 5105(f)(1), Dec. 4, 2015, 129 Stat. 1529, which required the Secretary of Transportation to carry out a commercial vehicle information systems and networks program and provided for grants for deployment, was repealed by Pub. L. 114-94, div. A, title V, § 5101(e)(5), Dec. 4, 2015, 129 Stat. 1525, effective Oct. 1, 2016.

§ 31107. Repealed. Pub. L. 114-94, div. A, title V, § 5101(e)(3), Dec. 4, 2015, 129 Stat. 1525]

Section, added Pub. L. 109-59, title IV, § 4110(a)(2), Aug. 10, 2005, 119 Stat. 1721; amended Pub. L. 112-141, div. C, title II, § 32603(h), July 6, 2012, 126 Stat. 808, related to border enforcement grants.

A prior section 31107, Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 992; Pub. L. 105-178, title IV, § 4004(b), June 9, 1998, 112 Stat. 400; Pub. L. 106-159, title I, § 103(d), Dec. 9, 1999, 113 Stat. 1754; Pub. L. 108-88, § 7(c)(1), Sept. 30, 2003, 117 Stat. 1120; Pub. L. 108-202,

§ 11(c)(1), Feb. 29, 2004, 118 Stat. 490; Pub. L. 108-224, § 9(c)(1), Apr. 30, 2004, 118 Stat. 638; Pub. L. 108-263, § 9(c)(1), June 30, 2004, 118 Stat. 709; Pub. L. 108-280, § 9(c)(1), July 30, 2004, 118 Stat. 886; Pub. L. 108-310, § 7(c)(1), Sept. 30, 2004, 118 Stat. 1153; Pub. L. 109-14, § 6(c)(1), May 31, 2005, 119 Stat. 330; Pub. L. 109-20, § 6(c)(1), July 1, 2005, 119 Stat. 352; Pub. L. 109-35, § 6(c)(1), July 20, 2005, 119 Stat. 385; Pub. L. 109-37, § 6(c)(1), July 22, 2005, 119 Stat. 400; Pub. L. 109-40, § 6(c)(1), July 28, 2005, 119 Stat. 417, related to contract authority funding for information systems, prior to repeal by Pub. L. 109-59, title IV, § 4110(a)(2), Aug. 10, 2005, 119 Stat. 1721.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2016, subject to a transition provision, see section 5101(f), (g) of Pub. L. 114-94, set out as Effective Date of 2015 Amendment and Transition notes under section 31102 of this title.

§ 31108. Motor carrier research and technology program

(a) RESEARCH, TECHNOLOGY, AND TECHNOLOGY TRANSFER ACTIVITIES.—

(1) ESTABLISHMENT.—The Secretary of Transportation shall establish and carry out a motor carrier and motor coach research and technology program.

(2) MULTIYEAR PLAN.—The program must include a multi-year research plan that focuses on nonredundant innovative research and shall be coordinated with other research programs or projects ongoing or planned within the Department of Transportation, as appropriate.

(3) RESEARCH, DEVELOPMENT, AND TECHNOLOGY TRANSFER ACTIVITIES.—The Secretary may carry out under the program research, development, technology, and technology transfer activities with respect to—

(A) the causes of accidents, injuries, and fatalities involving commercial motor vehicles;

(B) means of reducing the number and severity of accidents, injuries, and fatalities involving commercial motor vehicles;

(C) improving the safety and efficiency of commercial motor vehicles through technological innovation and improvement;

(D) improving technology used by enforcement officers when conducting roadside inspections and compliance reviews to increase efficiency and information transfers; and

(E) increasing the safety and security of hazardous materials transportation.

(4) TESTS AND DEVELOPMENT.—The Secretary may test, develop, or assist in testing and developing any material, invention, patented article, or process related to the research and technology program.

(5) TRAINING.—The Secretary may use the funds made available to carry out this section for training or education of commercial motor vehicle safety personnel, including training in accident reconstruction and detection of controlled substances or other contraband and stolen cargo or vehicles.

(6) PROCEDURES.—The Secretary may carry out this section—

(A) independently;

(B) in cooperation with other Federal departments, agencies, and instrumentalities and Federal laboratories; or

(C) by making grants to, or entering into contracts and cooperative agreements with, any Federal laboratory, State agency, authority, association, institution, for-profit or nonprofit corporation, organization, foreign country, or person.

(7) DEVELOPMENT AND PROMOTION OF USE OF PRODUCTS.—The Secretary shall use funds made available to carry out this section to develop, administer, communicate, and promote the use of products of research, technology, and technology transfer programs under this section.

(b) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—To advance innovative solutions to problems involving commercial motor vehicle and motor carrier safety, security, and efficiency, and to stimulate the deployment of emerging technology, the Secretary may carry out, on a cost-shared basis, collaborative research and development with—

- (A) non-Federal entities, including State and local governments, foreign governments, colleges and universities, corporations, institutions, partnerships, and sole proprietorships that are incorporated or established under the laws of any State; and
- (B) Federal laboratories.

(2) COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary may enter into cooperative research and development agreements (as defined in section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a)).

(3) COST SHARING.—

(A) FEDERAL SHARE.—The Federal share of the cost of activities carried out under a cooperative research and development agreement entered into under this subsection shall not exceed 50 percent; except that, if there is substantial public interest or benefit associated with any such activity, the Secretary may approve a greater Federal share.

(B) TREATMENT OF DIRECTLY INCURRED NON-FEDERAL COSTS.—All costs directly incurred by the non-Federal partners, including personnel, travel, and hardware or software development costs, shall be credited toward the non-Federal share of the cost of the activities described in subparagraph (A).

(4) USE OF TECHNOLOGY.—The research, development, or use of a technology under a cooperative research and development agreement entered into under this subsection, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 993; Pub. L. 109–59, title IV, §4111(a), Aug. 10, 2005, 119 Stat. 1722.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31108	(uncodified).	Dec. 18, 1991, Pub. L. 102–240, § 4002(j), 105 Stat. 2144.

The words “safety duties and powers” are substituted for “safety functions” for clarity and consistency in the revised title. The reference to fiscal year 1992 is omitted as obsolete.

REFERENCES IN TEXT

The Stevenson-Wylder Technology Innovation Act of 1980, referred to in subsec. (b)(4), is Pub. L. 96–480, Oct. 21, 1980, 94 Stat. 2311, as amended, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

AMENDMENTS

2005—Pub. L. 109–59 amended section catchline and text generally. Prior to amendment, text read as follows: “Not more than \$ _____ may be appropriated to the Secretary of Transportation for the fiscal year ending September 30, 19 __, to carry out the safety duties and powers of the Federal Highway Administration.”

§ 31109. Repealed. Pub. L. 114–94, div. A, title V, § 5101(e)(4), Dec. 4, 2015, 129 Stat. 1525]

Section, added Pub. L. 109–59, title IV, §4109(b)(1), Aug. 10, 2005, 119 Stat. 1721, related to performance and registration information system management.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2016, subject to a transition provision, see section 5101(f), (g) of Pub. L. 114–94, set out as Effective Date of 2015 Amendment and Transition notes under section 31102 of this title.

§ 31110. Authorization of appropriations

(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

- (1) \$267,400,000 for fiscal year 2016;
- (2) \$277,200,000 for fiscal year 2017;
- (3) \$283,000,000 for fiscal year 2018;
- (4) \$284,000,000 for fiscal year 2019; and
- (5) \$288,000,000 for fiscal year 2020.

(b) USE OF FUNDS.—The funds authorized by this section shall be used for—

- (1) personnel costs;
- (2) administrative infrastructure;
- (3) rent;
- (4) information technology;
- (5) programs for research and technology, information management, regulatory development, and the administration of performance and registration information systems management under section 31106(b);
- (6) programs for outreach and education under subsection (c);
- (7) other operating expenses;
- (8) conducting safety reviews of new operators; and
- (9) such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

(c) OUTREACH AND EDUCATION PROGRAM.—

(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, and other ac-