

the baseline maintenance of effort required of the State by section 31102(f) of title 49, United States Code, as amended by this subtitle, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

“(A) is equitable due to reasonable circumstances;

“(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

“(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by this subtitle, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures required under those sections for the 3 fiscal years prior to the date of enactment of this Act.

“(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline referred to in paragraph (1) for the State according to the following methodology:

“(A) The Secretary shall establish the maintenance of effort baseline for the State using the average baseline of fiscal years 2004 and 2005, as required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

“(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

“(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by this subtitle.

“(D) The Secretary shall subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

“(i) if the number is greater than 0, the Secretary shall subtract the number from the amount in subparagraph (A); or

“(ii) if the number is not greater than 0, the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

“(3) MAINTENANCE OF EFFORT AMOUNT.—

“(A) IN GENERAL.—The Secretary shall use the amount calculated under paragraph (2) as the baseline maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

“(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements a new allocation formula for the motor carrier safety assistance program under this subtitle, the Secretary shall calculate the maintenance of effort using the methodology described in paragraph (2)(A).

“(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

“(c) TERMINATION OF EFFECTIVENESS.—The authority of the Secretary under this section shall terminate effective on the date that a new maintenance of effort baseline is calculated based on a new allocation formula for the motor carrier safety assistance program implemented under section 31102 of title 49, United States Code.”

RELATIONSHIP TO OTHER LAWS

Except as provided in sections 14504, 14504a, and 14506 of this title, subtitle C (§§ 4301-4308) of title IV of Pub. L. 109-59 is not intended to prohibit any State or any political subdivision of any State from enacting, im-

posing, or enforcing any law or regulation with respect to a motor carrier, motor private carrier, broker, freight forwarder, or leasing company that is not otherwise prohibited by law, see section 4302 of Pub. L. 109-59, set out as a note under section 13902 of this title.

MAINTENANCE OF EFFORT

Pub. L. 106-159, title I, §103(c), Dec. 9, 1999, 113 Stat. 1753, which related to maintenance of effort as condition on grants to States, was repealed by Pub. L. 114-94, div. A, title V, §5101(e)(8), Dec. 4, 2015, 129 Stat. 1525, effective Oct. 1, 2016.

STATE COMPLIANCE WITH CDL REQUIREMENTS

Pub. L. 106-159, title I, §103(e), Dec. 9, 1999, 113 Stat. 1754, which related to State compliance with CDL requirements and withholding of funds for noncompliance, was repealed by Pub. L. 114-94, div. A, title V, §5101(e)(9), Dec. 4, 2015, 129 Stat. 1525, effective Oct. 1, 2016.

EFFECTS OF MCSAP GRANT REDUCTIONS

Pub. L. 105-178, title IV, §4032, June 9, 1998, 112 Stat. 419, required the Secretary of Transportation to conduct a study and submit a report not later than two years after June 9, 1998, on the effects of reductions of grants under this section and authorized the Secretary to adjust State allocations under section 31103 of this title based on the study.

§ 31103. Commercial motor vehicle operators grant program

(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).

(c) VETERANS.—In administering grants under this section, the Secretary shall award priority to grant applications for programs to train former members of the armed forces (as defined in section 101 of title 10) in the safe operation of such vehicles.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 987; Pub. L. 105-178, title IV, §4003(d), June 9, 1998, 112 Stat. 397; Pub. L. 109-59, title IV, §4307(a), Aug. 10, 2005, 119 Stat. 1774; Pub. L. 112-141, div. C, title II, §32933(c), (d), July 6, 2012, 126 Stat. 830; Pub. L. 114-94, div. A, title V, §5101(b), Dec. 4, 2015, 129 Stat. 1523.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31103	49 App.:2303.	Jan. 6, 1983, Pub. L. 97-424, §403, 96 Stat. 2156; Dec. 18, 1991, Pub. L. 102-240, §4002(d), 105 Stat. 2142.

The word “rules” is omitted as being synonymous with “regulations”.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-94 amended section generally. Prior to amendment, section related to United States Government’s share of costs incurred by a State.

2012—Subsec. (a). Pub. L. 112-141, §32933(c), substituted “section 31102(b)(2)(E)” for “section 31102(b)(1)(E)”.

Subsec. (b). Pub. L. 112-141, §32933(d), struck out “authorized by section 31104(f)(2)” after “public education activities”.

2005—Subsec. (a). Pub. L. 109-59 substituted “31102(b)(1)(E)” for “31102(b)(1)(D)” and inserted before last sentence “Amounts generated under the unified carrier registration agreement under section 14504a and received by a State and used for motor carrier safety purposes may be included as part of the State’s share not provided by the United States.”

1998—Pub. L. 105-178 designated existing provisions as subsec. (a), inserted subsec. heading, inserted “improve commercial motor vehicle safety and” after “implementing programs to”, and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 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.

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.

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.

RELATIONSHIP TO OTHER LAWS

Except as provided in sections 14504, 14504a, and 14506 of this title, subtitle C (§§ 4301-4308) of title IV of Pub. L. 109-59 is not intended to prohibit any State or any political subdivision of any State from enacting, imposing, or enforcing any law or regulation with respect to a motor carrier, motor private carrier, broker, freight forwarder, or leasing company that is not otherwise prohibited by law, see section 4302 of Pub. L. 109-59, set out as a note under section 13902 of this title.

§ 31104. Authorization of appropriations

(a) FINANCIAL ASSISTANCE PROGRAMS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account)—

(1) subject to subsection (c), to carry out the motor carrier safety assistance program under section 31102 (other than the high priority program under subsection (l) of that section)—

- (A) \$390,500,000 for fiscal year 2022;
- (B) \$398,500,000 for fiscal year 2023;
- (C) \$406,500,000 for fiscal year 2024;
- (D) \$414,500,000 for fiscal year 2025; and
- (E) \$422,500,000 for fiscal year 2026;

(2) subject to subsection (c), to carry out the high priority program under section 31102(l) (other than the commercial motor vehicle enforcement training and support grant program under paragraph (5) of that section)—

- (A) \$57,600,000 for fiscal year 2022;
- (B) \$58,800,000 for fiscal year 2023;
- (C) \$60,000,000 for fiscal year 2024;
- (D) \$61,200,000 for fiscal year 2025; and
- (E) \$62,400,000 for fiscal year 2026;

(3) to carry out the commercial motor vehicle enforcement training and support grant program under section 31102(l)(5), \$5,000,000 for each of fiscal years 2022 through 2026;

(4) to carry out the commercial motor vehicle operators grant program under section 31103—

- (A) \$1,100,000 for fiscal year 2022;
- (B) \$1,200,000 for fiscal year 2023;
- (C) \$1,300,000 for fiscal year 2024;
- (D) \$1,400,000 for fiscal year 2025; and
- (E) \$1,500,000 for fiscal year 2026; and

(5) subject to subsection (c), to carry out the financial assistance program for commercial driver’s license implementation under section 31313—

- (A) \$41,800,000 for fiscal year 2022;
- (B) \$42,650,000 for fiscal year 2023;
- (C) \$43,500,000 for fiscal year 2024;
- (D) \$44,350,000 for fiscal year 2025; and
- (E) \$45,200,000 for fiscal year 2026.

(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government’s share of the costs incurred.

(2) REIMBURSEMENT AMOUNTS.—

(A) REIMBURSEMENT PERCENTAGE.—

(i) IN GENERAL.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102 (except subsection (l)(5) of that section), 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under such sections.

(ii) COMMERCIAL MOTOR VEHICLE ENFORCEMENT TRAINING AND SUPPORT GRANT PROGRAM.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102(l)(5), an amount that is equal to 100 percent of the costs incurred by the recipient in a fiscal year in developing and implementing a training program under that section.

(B) LIMITATION.—The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement.

(C) IN-KIND CONTRIBUTIONS.—The Secretary shall include a recipient’s in-kind contributions in determining the reimbursement.

(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under sections 31102, 31103, and 31313.

(c) DEDUCTIONS FOR PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (5) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for program support in that fiscal year.

(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for