

instrumentalities, or by making grants to, and entering into contracts and cooperative agreements with, States, local governments, associations, institutions, corporations, and other persons.

(e)(1) INFORMATION AVAILABILITY AND PRIVACY PROTECTION POLICY.—The Secretary shall develop a policy on making information available from the information systems authorized by this section and section 31309. The policy shall be consistent with existing Federal information laws, including regulations, and shall provide for review and correction of such information in a timely manner.

(2) IN GENERAL.—Notwithstanding any prohibition on disclosure of information in section 31105(h) or 31143(b) of this title or section 552a of title 5, the Secretary may disclose information maintained by the Secretary pursuant to chapters 51, 135, 311, or 313 of this title to appropriate personnel of a State agency or instrumentality authorized to carry out State commercial motor vehicle safety activities and commercial driver’s license laws, or appropriate personnel of a local law enforcement agency, in accordance with standards, conditions, and procedures as determined by the Secretary. Disclosure under this section shall not operate as a waiver by the Secretary of any applicable privilege against disclosure under common law or as a basis for compelling disclosure under section 552 of title 5.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 991; Pub. L. 105–178, title IV, § 4004(a), June 9, 1998, 112 Stat. 398; Pub. L. 109–59, title IV, §§ 4108(a), 4109(a), Aug. 10, 2005, 119 Stat. 1720; Pub. L. 112–141, div. C, title II, §§ 32103(b), 32306, 32508, 32602, July 6, 2012, 126 Stat. 780, 793, 805, 807; Pub. L. 114–94, div. A, title V, §§ 5101(e)(2), 5102, Dec. 4, 2015, 129 Stat. 1525, 1526.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31106(a)	49 App.:2306(f).	Jan. 6, 1983, Pub. L. 97–424, 96 Stat. 2155, § 407; added Dec. 18, 1991, Pub. L. 102–240, § 4003, 105 Stat. 2144.
31106(b)	49 App.:2306(a)(2)–(5).	
31106(c)	49 App.:2306(b).	
31106(d)	49 App.:2306(a)(1).	
31106(e)	49 App.:2306(c).	
31106(f)	49 App.:2306(d).	
31106(g)	49 App.:2306(e).	

In subsection (b)(2), the word “schedule” is substituted for “system” for clarity.

Editorial Notes

AMENDMENTS

2015—Subsec. (b). Pub. L. 114–94, § 5102, substituted “Systems Management” for “Program” in heading.

Subsec. (b)(4). Pub. L. 114–94, § 5101(e)(2), struck out par. (4). Text read as follows: “From the funds authorized by section 31104(i), the Secretary may make a grant in a fiscal year to a State to implement the performance and registration information system management requirements of this subsection.”

2012—Subsec. (a)(3)(H). Pub. L. 112–141, § 32103(b), added subpar. (H).

Subsec. (b)(3)(C). Pub. L. 112–141, § 32602, amended subpar. (C) generally. Prior to amendment, subpar. (C) read as follows: “establish and implement a process to cancel the motor vehicle registration and seize the reg-

istration plates of a vehicle when an employer is found liable under section 31310(i)(2)(C) for knowingly allowing or requiring an employee to operate such a commercial motor vehicle in violation of an out-of-service order.”

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.

Statutory Notes and Related Subsidiaries

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.

Statutory Notes and Related Subsidiaries

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-Wydler 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-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).