

ment executed by an intermodal equipment provider or its agent and a motor carrier or its agent, the primary purpose of which is to establish the responsibilities and liabilities of both parties with respect to the interchange of the intermodal equipment.

(3) **INTERMODAL EQUIPMENT PROVIDER.**—The term “intermodal equipment provider” means any person that interchanges intermodal equipment with a motor carrier pursuant to a written interchange agreement or has a contractual responsibility for the maintenance of the intermodal equipment.

(4) **INTERCHANGE.**—The term “interchange”—

(A) means the act of providing intermodal equipment to a motor carrier pursuant to an intermodal equipment interchange agreement for the purpose of transporting the equipment for loading or unloading by any person or repositioning the equipment for the benefit of the equipment provider; but

(B) does not include the leasing of equipment to a motor carrier for primary use in the motor carrier’s freight hauling operations.

(Added Pub. L. 109–59, title IV, §4118(a), Aug. 10, 2005, 119 Stat. 1729; amended Pub. L. 110–244, title III, §301(e), June 6, 2008, 122 Stat. 1616; Pub. L. 112–141, div. C, title II, §32931(b), July 6, 2012, 126 Stat. 829.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (a)(3)(E)(ii), is the date of enactment of Pub. L. 109–59, which was approved Aug. 10, 2005.

##### AMENDMENTS

2012—Subsec. (a)(1). Pub. L. 112–141, §32931(b)(1), amended par. (1) generally. Prior to amendment, text read as follows: “Not later than 1 year after the date of enactment of this section, the Secretary of Transportation, after providing notice and opportunity for comment, shall issue regulations establishing a program to ensure that intermodal equipment used to transport intermodal containers is safe and systematically maintained.”

Subsec. (a)(4). Pub. L. 112–141, §32931(b)(2), struck out par. (4). Text read as follows: “Not later than 120 days after the date of enactment of this section, the Secretary shall initiate a rulemaking proceeding for issuance of the regulations under this section.”

2008—Subsec. (a)(3)(E)(ii). Pub. L. 110–244 substituted “section” for “Act”.

#### Statutory Notes and Related Subsidiaries

##### 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.

#### SUBCHAPTER IV—MISCELLANEOUS

#### Editorial Notes

##### PRIOR PROVISIONS

A prior subchapter IV consisted of sections 31161 and 31162, prior to repeal by Pub. L. 105–178, title IV, §4010, June 9, 1998, 112 Stat. 407.

#### § 31161. International cooperation

The Secretary of Transportation is authorized to use funds made available by section 31110 to

participate and cooperate in international activities to enhance motor carrier, commercial motor vehicle, driver, and highway safety by such means as exchanging information, conducting research, and examining needs, best practices, and new technology.

(Added Pub. L. 109–59, title IV, §4119(a), Aug. 10, 2005, 119 Stat. 1733; amended Pub. L. 114–94, div. A, title V, §5103(c)(3), Dec. 4, 2015, 129 Stat. 1527.)

#### Editorial Notes

##### PRIOR PROVISIONS

Prior sections 31161 and 31162 were repealed by Pub. L. 105–178, title IV, §4010, June 9, 1998, 112 Stat. 407.

Section 31161, Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1013, related to procedures to ensure timely correction of safety violations.

Section 31162, Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1014, related to compliance review priority.

##### AMENDMENTS

2015—Pub. L. 114–94 substituted “section 31110” for “section 31104(i)”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by 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.

#### CHAPTER 313—COMMERCIAL MOTOR VEHICLE OPERATORS

##### Sec.

- 31301. Definitions.
- 31302. Commercial driver’s license requirement.
- 31303. Notification requirements.
- 31304. Employer responsibilities.
- 31305. General driver fitness, testing, and training.
- 31306. Alcohol and controlled substances testing.
- 31306a. National clearinghouse for positive controlled substance and alcohol test results of commercial motor vehicle operators.<sup>1</sup>
- 31307. Minimum training requirements for operators of longer combination vehicles.
- 31308. Commercial driver’s license.
- 31309. Commercial driver’s license information system.
- 31310. Disqualifications.
- 31311. Requirements for State participation.
- 31312. Decertification authority.
- 31313. Commercial driver’s license program implementation financial assistance program.
- 31314. Withholding amounts for State noncompliance.
- 31315. Waivers, exemptions, and pilot programs.
- 31316. Limitation on statutory construction.
- 31317. Procedure for prescribing regulations.

#### Editorial Notes

##### AMENDMENTS

2015—Pub. L. 114–94, div. A, title V, §5104(b), Dec. 4, 2015, 129 Stat. 1529, substituted “Commercial driver’s license program implementation financial assistance program” for “Grants for commercial driver’s license program implementation” in item 31313.

2012—Pub. L. 112–141, div. C, title II, §§32304(d), 32402(b), 32604(b)(2), July 6, 2012, 126 Stat. 792, 802, 809, added items 31305, 31306a, and 31313 and struck out former items 31305 “General driver fitness and testing”

<sup>1</sup> So in original. Does not conform to section catchline.