

In subsection (a), the words “a vehicle consisting” are substituted for “any combination” for clarity. The words “Dwight D. Eisenhower System of Interstate and Defense Highways” are substituted for “National System of Interstate and Defense Highways” because of the Act of October 15, 1990 (Public Law 101-427, 104 Stat. 927).

In subsection (b), the words “Not later than 60 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding” are omitted as executed.

Editorial Notes

AMENDMENTS

2015—Subsec. (b). Pub. L. 114-94, §5508(b)(5), amended Pub. L. 112-141, §32931(c). See 2012 Amendment note below.

2012—Subsec. (b). Pub. L. 112-141, §32931(c), as amended by Pub. L. 114-94, §5508(b)(5), substituted “The Secretary of Transportation shall maintain” for “Not later than December 18, 1994, the Secretary of Transportation shall prescribe”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-94, div. A, title V, §5508(b), Dec. 4, 2015, 129 Stat. 1554, provided that the amendment made by section 5508(b)(5) is effective as of July 6, 2012, and as if included in Pub. L. 112-141 as enacted.

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.

§ 31308. Commercial driver’s license

After consultation with the States, the Secretary of Transportation shall prescribe regulations on minimum uniform standards for the issuance of commercial drivers’ licenses and learner’s permits by the States and for information to be contained on each of the licenses and permits. The standards shall require at a minimum that—

(1) an individual issued a commercial driver’s license—

(A) pass written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards prescribed by the Secretary under section 31305(a); and

(B) present certification of completion of driver training that meets the requirements established by the Secretary under section 31305(c);

(2) before a commercial driver’s license learner’s permit may be issued to an individual, the individual must pass a written test, that complies with the minimum standards prescribed by the Secretary under section 31305(a), on the operation of the commercial motor vehicle that the individual will be operating under the permit;

(3) the license or learner’s permit be tamperproof to the maximum extent practicable and each license or learner’s permit issued after January 1, 2001, include unique identifiers (which may include biometric identifiers) to minimize fraud and duplication; and

(4) the license or learner’s permit contain—

(A) the name and address of the individual issued the license or learner’s permit and a physical description of the individual;

(B) the social security account number or other number or information the Secretary decides is appropriate to identify the individual;

(C) the class or type of commercial motor vehicle the individual is authorized to operate under the license or learner’s permit;

(D) the name of the State that issued the license or learner’s permit; and

(E) the dates between which the license or learner’s permit is valid.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1020; Pub. L. 105-178, title IV, §4011(c)(1), June 9, 1998, 112 Stat. 407; Pub. L. 109-59, title IV, §4122(2), Aug. 10, 2005, 119 Stat. 1734; Pub. L. 110-244, title III, §301(g), June 6, 2008, 122 Stat. 1616; Pub. L. 112-141, div. C, title II, §32304(b), July 6, 2012, 126 Stat. 791.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31308	49 App.:2705.	Oct. 27, 1986, Pub. L. 99-570, §12006, 100 Stat. 3207-175.

The words “Not later than July 15, 1988” are omitted as obsolete.

Editorial Notes

AMENDMENTS

2012—Par. (1). Pub. L. 112-141 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “an individual issued a commercial driver’s license pass written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards prescribed by the Secretary under section 31305(a) of this title;”.

2008—Pub. L. 110-244 amended Pub. L. 109-59, §4122(2)(A). See 2005 Amendment note below.

2005—Pub. L. 109-59, §4122(2)(B), substituted “the licenses and permits” for “the licenses” in introductory provisions.

Pub. L. 109-59, §4122(2)(A), as amended by Pub. L. 110-244, inserted “and learner’s permits” after “licenses” in introductory provisions.

Par. (2). Pub. L. 109-59, §4122(2)(D), added par. (2). Former par. (2) redesignated (3).

Pars. (3), (4). Pub. L. 109-59, §4122(2)(C), (E), redesignated pars. (2) and (3) as (3) and (4), respectively, and inserted “or learner’s permit” after “license” wherever appearing.

1998—Par. (2). Pub. L. 105-178 inserted before semicolon “and each license issued after January 1, 2001, include unique identifiers (which may include biometric identifiers) to minimize fraud and duplication”.

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.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-244 effective as of the date of enactment of Pub. L. 109-59 (Aug. 10, 2005) and to be treated as included in Pub. L. 109-59 as of that date, and provisions of Pub. L. 109-59, as in effect on the day before June 6, 2008, that are amended by Pub. L. 110-244 to be treated as not enacted, see section 121(b) of Pub.

L. 110-244, set out as a note under section 101 of Title 23, Highways.

DEADLINE FOR ISSUANCE OF REGULATIONS

Pub. L. 105-178, title IV, §4011(c)(2), June 9, 1998, 112 Stat. 407, provided that: “Not later than 180 days after the date of enactment of this Act [June 9, 1998], the Secretary [of Transportation] shall issue regulations to carry out the amendment made by paragraph (1) [amending this section].”

COMMERCIAL LEARNER’S PERMIT FOR INDIVIDUALS
UNDER AGE 18

Pub. L. 114-113, div. L, title I, §132, Dec. 18, 2015, 129 Stat. 2850, provided that: “None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner’s permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner’s permits to individuals under eighteen years of age as of May 9, 2011.”

§ 31309. Commercial driver’s license information system

(a) GENERAL REQUIREMENT.—The Secretary of Transportation (referred to in this section as the “Secretary”) shall maintain an information system (referred to in this section as the “information system”) that will serve as a clearinghouse and depository of information about the licensing, identification, and disqualification of operators of commercial motor vehicles. The information system shall be coordinated with activities carried out under section 31106. The Secretary shall consult with the States in carrying out this section.

(b) CONTENTS.—

(1) IN GENERAL.—At a minimum, the information system shall include for each operator of a commercial motor vehicle—

(A) information the Secretary considers appropriate to ensure identification of the operator;

(B) the name, address, and physical description of the operator;

(C) the social security account number of the operator or other number or information the Secretary considers appropriate to identify the operator;

(D) the name of the State that issued the license or learner’s permit to the operator;

(E) the dates between which the license or learner’s permit is valid; and

(F) whether the operator had a commercial motor vehicle driver’s license or learner’s permit revoked, suspended, or canceled by a State, lost the right to operate a commercial motor vehicle in a State for any period, or has been disqualified from operating a commercial motor vehicle.

(2) REQUIREMENT.—The information system must accommodate any unique identifiers required to minimize fraud or duplication of a commercial driver’s license or learner’s permit under section 31308(3).

(c) AVAILABILITY OF INFORMATION.—Information in the information system shall be made available and subject to review and correction in accordance with the policy developed under section 31106(e).

(d) AUTHORIZED OPERATOR.—The Secretary may authorize a qualified entity (referred to in this section as the “authorized operator”)—

(1) to operate, maintain, develop, modernize, and enhance the information system; and

(2) to collect fees on behalf of the Secretary in accordance with subsection (e); and

(3) to use any fees collected in accordance with that subsection.

(e) FEE SYSTEM.—

(1) IN GENERAL.—The Secretary or the authorized operator, as applicable, may charge a reasonable fee for use of the information system.

(2) AMOUNT OF FEES.—The total amount of fees collected under this subsection shall equal, as nearly as possible, the total amount necessary for the purposes and uses described in paragraph (3)(B).

(3) USE OF FEES.—Fees collected under this subsection shall—

(A) be credited to—

(i) an appropriation account; or

(ii) an account designated by the authorized operator; and

(B) be available only for the purposes of operating, maintaining, developing, modernizing, or enhancing, or any other use relating to, the information system, including for personnel and administration costs relating to the information system.

(4) AVAILABILITY OF AMOUNTS.—Fees collected under this subsection shall remain available until expended for a purpose or use described in paragraph (3)(B).

(5) AUTHORIZED OPERATOR.—If the Secretary designates an authorized operator under subsection (d)—

(A) the Secretary shall not be charged a fee for access to, use of, or data in the information system; and

(B) the Secretary shall have access to fee statements on a quarterly basis.

(f) MODERNIZATION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this subsection, the Secretary shall develop and publish a comprehensive national plan to modernize the information system that—

(A) complies with applicable Federal information technology security standards;

(B) provides for the electronic exchange of all information including the posting of convictions;

(C) contains self auditing features to ensure that data is being posted correctly and consistently by the States;

(D) integrates the commercial driver’s license and the medical certificate; and

(E) provides a schedule for modernization of the information system.

(2) CONSULTATION.—The plan shall be developed in consultation with representatives of the motor carrier industry, State safety enforcement agencies, and State licensing agencies designated by the Secretary.

(3) STATE FUNDING OF FUTURE EFFORTS.—The plan shall specify that States will fund future efforts to modernize the information system.

(4) DEADLINE FOR STATE PARTICIPATION.—

(A) IN GENERAL.—The plan shall specify—

(i) a date by which all States shall be operating commercial driver’s license infor-