

NATIONAL DRIVER REGISTER

**TITLE 49, UNITED STATES CODE,
CHAPTER 303**

**ADMINISTERED BY THE
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

U.S. DEPARTMENT OF TRANSPORTATION

**NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION**

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SUBTITLE VI--MOTOR VEHICLE AND DRIVER PROGRAMS
PART A—GENERAL

CHAPTER 303--NATIONAL DRIVER REGISTER

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§ 30301. Definitions

In this chapter--

- (1) "alcohol" has the same meaning given that term in regulations prescribed by the Secretary of Transportation.
- (2) "chief driver licensing official" means the official in a State who is authorized to--
 - (A) maintain a record about a motor vehicle operator's license issued by the State; and
 - (B) issue, deny, revoke, suspend, or cancel a motor vehicle operator's license issued by the State.
- (3) "controlled substance" has the same meaning given that term in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802).
- (4) "motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on public streets, roads, or highways, but does not include a vehicle operated only on a rail line.
- (5) "motor vehicle operator's license" means a license issued by a State authorizing an individual to operate a motor vehicle on public streets, roads, or highways.
- (6) "participating State" means a State that has notified the Secretary under section 30303 of this title of its participation in the National Driver Register.
- (7) "State" means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.
- (8) "State of record" means a State that has given the Secretary a report under section 30304 of this title about an individual who is the subject of a request for information made under section 30305 of this title.

§ 30302. National Driver Register

- (a) **Establishment and contents.**--The Secretary of Transportation shall establish as soon as practicable

and maintain a National Driver Register to assist chief driver licensing officials of participating States in exchanging information about the motor vehicle driving records of individuals. The Register shall contain an index of the information reported to the Secretary under section 30304 of this title. The Register shall enable the Secretary (electronically or, until all States can participate electronically, by United States mail)-

(1) to receive information submitted under section 30304 of this title by the chief driver licensing official of a State of record;

(2) to receive a request for information made by the chief driver licensing official of a participating State under section 30305 of this title;

(3) to refer the request to the chief driver licensing official of a State of record; and

(4) in response to the request, to relay information provided by a chief driver licensing official of a State of record to the chief driver licensing official of a participating State, without interception of the information.

(b) Accuracy of information.--The Secretary is not responsible for the accuracy of information relayed to the chief driver licensing official of a participating State. However, the Secretary shall maintain the Register in a way that ensures against inadvertent alteration of information during a relay.

(c) Transition from prior register.--(1) The Secretary shall provide by regulation for the orderly transition from the register maintained under the Act of July 14, 1960 (Public Law 86-660, 74 Stat. 526), as restated by section 401 of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563, 80 Stat. 730), to the Register maintained under this chapter.

(2)(A) The Secretary shall delete from the Register a report or information that was compiled under the Act of July 14, 1960 (Public Law 86-660, 74 Stat. 526), as restated by section 401 of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563, 80 Stat. 730), and transferred to the Register, after the earlier of--

(i) the date the State of record removes it from the State's file;

(ii) 7 years after the date the report or information is entered in the Register; or

(iii) the date a fully electronic Register system is established.

(B) The report or information shall be disposed of under chapter 33 of title 44.

(3) If the chief driver licensing official of a participating State finds that information provided for inclusion in the Register is erroneous or is related to a conviction of a traffic offense that subsequently is reversed, the official immediately shall notify the Secretary. The Secretary shall provide for the immediate deletion of the information from the Register.

(d) Assignment of personnel.--In carrying out this chapter, the Secretary shall assign personnel necessary to ensure the effective operation of the Register.

(e) Transfer of selected functions to non-federal management.--

(1) **Agreement.**--The Secretary may enter into an agreement with an organization that represents the interests of the States to manage, administer, and operate the National Driver Register's computer timeshare and user assistance functions. If the Secretary decides to enter into such an agreement, the Secretary shall ensure that the management of these functions is compatible with this chapter and the regulations issued to implement this chapter.

(2) **Required demonstration.**--Any transfer of the National Driver Register's computer timeshare and

user assistance functions to an organization that represents the interests of the States shall begin only after a determination is made by the Secretary that all States are participating in the National Driver Register's "Problem Driver Pointer System" (the system used by the Register to effect the exchange of motor vehicle driving records) and that the system is functioning properly.

(3) Transition period.--Any agreement entered into under this subsection shall include a provision for a transition period sufficient to allow the States to make the budgetary and legislative changes the States may need to pay fees charged by the organization representing their interests for their use of the National Driver Register's computer timeshare and user assistance functions. During this transition period, the Secretary shall continue to fund these transferred functions.

(4) Fees.--The total of the fees charged by the organization representing the interests of the States in any fiscal year for the use of the National Driver Register's computer timeshare and user assistance functions shall not exceed the total cost to the organization of performing these functions in such fiscal year.

(5) Limitation on statutory construction.--Nothing in this subsection may be construed to diminish, limit, or otherwise affect the authority of the Secretary to carry out this chapter.

§ 30303. State participation

(a) Notification.--A State may become a participating State under this chapter by notifying the Secretary of Transportation of its intention to be bound by section 30304 of this title.

(b) Withdrawal.--A participating State may end its status as a participating State by notifying the Secretary of its withdrawal from participation in the National Driver Register.

(c) Form and way of notification.--Notification by a State under this section shall be made in the form and way the Secretary prescribes by regulation.

§ 30304. Reports by chief driver licensing officials

(a) Individuals covered.--As soon as practicable, the chief driver licensing official of each participating State shall submit to the Secretary of Transportation a report containing the information specified by subsection (b) of this section for each individual--

(1) who is denied a motor vehicle operator's license by that State for cause;

(2) whose motor vehicle operator's license is revoked, suspended, or canceled by that State for cause; or

(3) who is convicted under the laws of that State of any of the following motor vehicle-related offenses or comparable offenses:

(A) operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance.

(B) a traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways.

(C) failing to give aid or provide identification when involved in an accident resulting in death or personal injury.

(D) perjury or knowingly making a false affidavit or statement to officials about activities governed by a law or regulation on the operation of a motor vehicle.

(b) Contents.--(1) Except as provided in paragraph (2) of this subsection, a report under subsection (a) of

this section shall contain--

(A) the individual's legal name, date of birth, sex, and, at the Secretary's discretion, height, weight, and eye and hair color;

(B) the name of the State providing the information; and

(C) the social security account number if used by the State for driver record or motor vehicle license purposes, and the motor vehicle operator's license number if different from the social security account number.

(2) A report under subsection (a) of this section about an event that occurs during the 2-year period before the State becomes a participating State is sufficient if the report contains all of the information that is available to the chief driver licensing official when the State becomes a participating State.

(c) **Time for filing.**--If a report under subsection (a) of this section is about an event that occurs--

(1) during the 2-year period before the State becomes a participating State, the report shall be submitted not later than 6 months after the State becomes a participating State; or

(2) after the State becomes a participating State, the report shall be submitted not later than 31 days after the motor vehicle department of the State receives any information specified in subsection (b)(1) of this section that is the subject of the report.

(d) **Events occurring before participation.**--This section does not require a State to report information about an event that occurs before the 2-year period before the State becomes a participating State.

(e) **Driver record inquiry.**--Before issuing a motor vehicle operator's license to an individual or renewing such a license, a State shall request from the Secretary information from the National Driver Register under section 30302 and the commercial driver's license information system under section 31309 on the individual's driving record.

§ 30305. Access to Register information

(a) **Referrals of information requests.**--(1) To carry out duties related to driver licensing, driver improvement, or transportation safety, the chief driver licensing official of a participating State may request the Secretary of Transportation to refer, electronically or by United States mail, a request for information about the motor vehicle driving record of an individual to the chief driver licensing official of a State of record.

(2) The Secretary of Transportation shall relay, electronically or by United States mail, information received from the chief driver licensing official of a State of record in response to a request under paragraph (1) of this subsection to the chief driver licensing official of the participating State requesting the information. However, the Secretary may refuse to relay information to the chief driver licensing official of a participating State that does not comply with section 30304 of this title.

(b) **Requests to obtain information.**--(1) The Chairman of the National Transportation Safety Board and the Administrator of the Federal Highway Administration may request the chief driver licensing official of a State to obtain information under subsection (a) of this section about an individual who is the subject of an accident investigation conducted by the Board or the Administrator. The Chairman and the Administrator may receive the information.

(2) An individual who is employed, or is seeking employment, as a driver of a motor vehicle may request the chief driver licensing official of the State in which the individual is employed or seeks employment to provide information about the individual under subsection (a) of this section to the individual's employer or prospective employer. An employer or prospective employer may receive the information and shall make

the information available to the individual. Information may not be obtained from the National Driver Register under this paragraph if the information was entered in the Register more than 3 years before the request, unless the information is about a revocation or suspension still in effect on the date of the request.

(3) An individual who has received, or is applying for, an airman's certificate may request the chief driver licensing official of a State to provide information about the individual under subsection (a) of this section to the Administrator of the Federal Aviation Administration. The Administrator may receive the information and shall make the information available to the individual for review and written comment. The Administrator may use the information to verify information required to be reported to the Administrator by an airman applying for an airman medical certificate and to evaluate whether the airman meets the minimum standards prescribed by the Administrator to be issued an airman medical certificate. The Administrator may not otherwise divulge or use the information. Information may not be obtained from the Register under this paragraph if the information was entered in the Register more than 3 years before the request, unless the information is about a revocation or suspension still in effect on the date of the request.

(4) An individual who is employed, or is seeking employment, by a rail carrier as an operator of a locomotive may request the chief driver licensing official of a State to provide information about the individual under subsection (a) of this section to the individual's employer or prospective employer or to the Secretary of Transportation. Information may not be obtained from the Register under this paragraph if the information was entered in the Register more than 3 years before the request, unless the information is about a revocation or suspension still in effect on the date of the request.

(5) An individual who holds, or is applying for, a license or certificate of registry under section 7101 of title 46, or a merchant mariner's document under section 7302 of title 46, may request the chief driver licensing official of a State to provide information about the individual under subsection (a) of this section to the Secretary of the department in which the Coast Guard is operating. The Secretary may receive the information and shall make the information available to the individual for review and written comment before denying, suspending, or revoking the license, certificate, or document of the individual based on the information and before using the information in an action taken under chapter 77 of title 46. The Secretary may not otherwise divulge or use the information, except for purposes of section 7101, 7302, or 7703 of title 46. Information may not be obtained from the Register under this paragraph if the information was entered in the Register more than 3 years before the request, unless the information is about a revocation or suspension still in effect on the date of the request.

(6) The head of a Federal department or agency that issues motor vehicle operator's licenses may request the chief driver licensing official of a State to obtain information under subsection (a) of this section about an individual applicant for a motor vehicle operator's license from such department or agency. The department or agency may receive the information, provided it transmits to the Secretary a report regarding any individual who is denied a motor vehicle operator's license by that department or agency for cause; whose motor vehicle operator's license is revoked, suspended, or canceled by that department or agency for cause; or about whom the department or agency has been notified of a conviction of any of the motor vehicle-related offenses or comparable offenses listed in section 30304(a)(3) and over whom the department or agency has licensing authority. The report shall contain the information specified in section 30304(b).

(7) An individual who is an officer, chief warrant officer, or enlisted member of the Coast Guard or Coast Guard Reserve (including a cadet or an applicant for appointment or enlistment of any of the foregoing and any member of a uniformed service who is assigned to the Coast Guard) may request the chief driver licensing official of a State to provide information about the individual under subsection (a) of this section to the Commandant of the Coast Guard. The Commandant may receive the information and shall make the information available to the individual. Information may not be obtained from the Register under this paragraph if the information was entered in the Register more than 3 years before the request, unless the information is about a revocation or suspension still in effect on the date of the request.

(8) An individual who is seeking employment by an air carrier as a pilot may request the chief driver

licensing official of a State to provide information about the individual under subsection (a) of this section to the prospective employer of the individual or to the Secretary of Transportation. Information may not be obtained from the National Driver Register under this subsection if the information was entered in the Register more than 5 years before the request unless the information is about a revocation or suspension still in effect on the date of the request.

(9) An individual who has or is seeking access to national security information for purposes of Executive Order No. 12968, or any successor Executive order, or an individual who is being investigated for Federal employment under authority of Executive Order No. 10450, or any successor Executive order, may request the chief driver licensing official of a State to provide information about the individual pursuant to subsection (a) of this section to a Federal department or agency that is authorized to investigate the individual for the purpose of assisting in the determination of the eligibility of the individual for access to national security information or for Federal employment in a position requiring access to national security information. A Federal department or agency that receives information about an individual under the preceding sentence may use such information only for purposes of the authorized investigation and only in accordance with applicable law.

(10) A request under this subsection shall be made in the form and way the Secretary of Transportation prescribes by regulation.

(11) An individual may request the chief driver licensing official of a State to obtain information about the individual under subsection (a) of this section--

(A) to learn whether information about the individual is being provided;

(B) to verify the accuracy of the information; or

(C) to obtain a certified copy of the information.

(12) The head of a Federal department or agency authorized to receive information regarding an individual from the Register under this section may request and receive such information from the Secretary.

(c) **Relationship to other laws.**--A request for, or receipt of, information from the Register is subject to sections 552 and 552a of title 5, and other applicable laws of the United States or a State, except that--

(1) the Secretary of Transportation may not relay or otherwise provide information specified in section 30304(b)(1)(A) or (C) of this title to a person not authorized by this section to receive the information;

(2) a request for, or receipt of, information by a chief driver licensing official, or by a person authorized by subsection (b) of this section to request and receive the information, is deemed to be a routine use under section 552a(b) of title 5; and

(3) receipt of information by a person authorized by this section to receive the information is deemed to be a disclosure under section 552a(c) of title 5, except that the Secretary of Transportation is not required to retain the accounting made under section 552a(c)(1) for more than 7 years after the disclosure.

(d) **Availability of information provided under prior law.**--Information provided by a State under the Act of July 14, 1960 (Public Law 86-660, 74 Stat. 526), as restated by section 401 of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563, 80 Stat. 730), and under this chapter, shall be available under this section during the transition from the register maintained under that Act to the Register maintained under this chapter.

§ 30306. National Driver Register Advisory Committee

(a) **Organization.**--There is a National Driver Register Advisory Committee.

(b) Duties.--The Committee shall advise the Secretary of Transportation on--

- (1) the efficiency of the maintenance and operation of the National Driver Register; and
- (2) the effectiveness of the Register in assisting States in exchanging information about motor vehicle driving records.

(c) Composition and appointment.--The Committee is composed of 15 members appointed by the Secretary as follows:

- (1) 3 members appointed from among individuals who are specially qualified to serve on the Committee because of their education, training, or experience, and who are not officers or employees of the United States Government or a State.
- (2) 3 members appointed from among groups outside the Government that represent the interests of bus and trucking organizations, enforcement officials, labor, or safety organizations.
- (3) 9 members, geographically representative of the participating States, appointed from among individuals who are chief driver licensing officials of participating States.

(d) Terms.--(1) Except as provided in paragraph (2) of this subsection, the term of each member is 3 years.

(2) A vacancy on the Committee shall be filled in the same way as an original appointment. A member appointed to fill a vacancy serves for the remainder of the term of that member's predecessor. After a member's term ends, the member may continue to serve until a successor takes office.

(e) Pay and expenses.--Members of the Committee serve without pay. However, the Secretary may reimburse a member for reasonable travel expenses incurred by the member in attending meetings of the Committee.

(f) Meetings, Chairman, Vice Chairman, and quorum.--(1) The Committee shall meet at least once a year.

(2) The Committee shall elect a Chairman and a Vice Chairman from among its members.

(3) Eight members are a quorum.

(4) The Committee shall meet at the call of the Chairman or a majority of the members.

(g) Personnel and services.--The Secretary may provide the Committee with personnel, penalty mail privileges, and similar services the Secretary considers necessary to assist the Committee in carrying out its duties and powers under this section.

(h) Reports.--At least once a year, the Committee shall submit to the Secretary a report on the matters specified in subsection (b) of this section. The report shall include any recommendations of the Committee for changes in the Register.

(i) Relationship to other laws.--The Committee is exempt from sections 10(e) and (f) and 14 of the Federal Advisory Committee Act (5 App. U.S.C.).

§ 30307. Criminal penalties

(a) General penalty.--A person (except an individual described in section 30305(b)(6) of this title) shall be fined under title 18, imprisoned for not more than one year, or both, if--

- (1) the person receives under section 30305 of this title information specified in section 30304(b)(1)(A)

or (C) of this title;

(2) disclosure of the information is not authorized by section 30305 of this title; and

(3) the person willfully discloses the information knowing that disclosure is not authorized.

(b) Information penalty.--A person knowingly and willfully requesting, or under false pretenses obtaining, information specified in section 30304(b)(1)(A) or (C) of this title from a person receiving the information under section 30305 of this title shall be fined under title 18, imprisoned for not more than one year, or both.

§ 30308. Authorization of appropriations

(a) General.--The Secretary of Transportation shall make available from amounts made available to carry out section 402 of title 23 \$4,000,000 for each of the fiscal years ending September 30, 1993, and September 30, 1994, \$2,550,000 for each of fiscal years 1995, 1996, and 1997, and \$1,855,000 for the period of October 1, 1997, through March 31, 1998 to carry out this chapter.

(b) Availability of amounts.--Amounts authorized under this section remain available until expended.

**UNCODIFIED PROVISION
TRANSPORTATION EQUITY ACT FOR THE 21st CENTURY (TEA-21)
June 9, 1998, P.L. 105-178; Title II, § 2009(a)(6), 112 Stat. 338**

"SEC. 2009. Authorizations of Appropriations.

"(a) In General.-The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

"(6) National Driver Register.-For carrying out chapter 303 of title 49, United States Code, by the National Highway Traffic Safety Administration, \$2,000,000 for each of fiscal years 1998 through 2003."

**UNCODIFIED PROVISIONS
SURFACE TRANSPORTATION EXTENSION ACTS**

1. SURFACE TRANSPORTATION EXTENSION ACT OF 2003

[Page 117 STAT. 1110]

**Public Law 108-88
September 30, 2003**

SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) National Driver Register.--Section 2009(a)(6) of such Act (112 Stat. 338) is amended by inserting after "2003" the following: ", and \$833,333 for the period of October 1, 2003, through February 29, 2004".

2. SURFACE TRANSPORTATION EXTENSION ACT OF 2004

[Page 118 STAT. 478]

Public Law 108-202
February 29, 2004

SEC. 10. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAMS.

(e) NATIONAL DRIVER REGISTER.--Section 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120) is amended by striking "\$833,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$2,100,000 for the period of October 1, 2003, through April 30, 2004".

3. SURFACE TRANSPORTATION EXTENSION ACT OF 2004, Part II

[Page 118 STAT. 627]

Public Law 108-224
April 30, 2004

SEC. 8. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAMS.

(e) NATIONAL DRIVER REGISTER.--Section 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120; 118 Stat. 490) is amended by striking "\$2,100,000 for the period of October 1, 2003, through April 30, 2004" and inserting "\$2,684,070 for the period of October 1, 2003, through June 30, 2004".

4. SURFACE TRANSPORTATION EXTENSION ACT OF 2004, Part III

[Page 118 STAT. 698]

Public Law 108-263
June 30, 2004

SEC. 8. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAMS.

(e) NATIONAL DRIVER REGISTER.--Section 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120; 118 Stat. 638) is amended by striking "\$2,684,070 for the period of October 1, 2003, through June 30, 2004" and inserting "\$2,982,300 for the period of October 1, 2003, through July 31, 2004".

5. SURFACE TRANSPORTATION EXTENSION ACT OF 2004, Part IV

[Page 118 STAT. 876]

Public Law 108-280
July 30, 2004

SEC. 8. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAMS.

(e) **NATIONAL DRIVER REGISTER.**--Section 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120; 118 Stat. 638; 118 Stat. 709) is amended by striking "\$2,982,300 for the period of October 1, 2003, through July 31, 2004" and inserting "\$3,600,000 for fiscal year 2004".

6. SURFACE TRANSPORTATION EXTENSION ACT OF 2004, Part V

[Page 118 STAT. 1144]

Public Law 108-310
September 30, 2004

SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) **National Driver Register.**--Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 886) is amended by inserting after "2004" the following: ", and \$2,400,000 for the period of October 1, 2004, through May 31, 2005".

7. SURFACE TRANSPORTATION EXTENSION ACT OF 2005

[Page 119 STAT. 324]

Public Law 109-14
May 31, 2005

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) **NATIONAL DRIVER REGISTER.**--Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153) is amended by striking "\$2,400,000 for the period of October 1, 2004, through May 31, 2005" and inserting "\$2,700,000 for the period of October 1, 2004, through June 30, 2005".

8. SURFACE TRANSPORTATION EXTENSION ACT OF 2005, Part II

[Page 119 STAT. 346]

Public Law 109-20
July 1, 2005

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) NATIONAL DRIVER REGISTER.--

(1) **FUNDING.**--Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330) is amended by striking "\$2,700,000 for the period of October 1, 2004, through June 30, 2005" and inserting "\$2,880,000 for the period of October 1, 2004, through July 19, 2005".

(2) **CONTRACT AUTHORITY.**--Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

9. SURFACE TRANSPORTATION EXTENSION ACT OF 2005, Part III

[Page 119 STAT. 379]

Public Law 109-35
July 20, 2005

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) NATIONAL DRIVER REGISTER.--

(1) FUNDING.--Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330; 119 Stat. 346) is amended by striking "\$2,880,000 for the period of October 1, 2004, through July 19, 2005" and inserting "\$2,916,000 for the period of October 1, 2004, through July 21, 2005".

(2) CONTRACT AUTHORITY.--Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330; 119 Stat. 346) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

10. SURFACE TRANSPORTATION EXTENSION ACT OF 2005, Part IV

[Page 119 STAT. 394]

Public Law 109-37
July 22, 2005

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) NATIONAL DRIVER REGISTER.--

(1) FUNDING.--Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330; 119 Stat. 346; 119 Stat. 379) is amended by striking "\$2,916,000 for the period of October 1, 2004, through July 21, 2005" and inserting "\$2,958,904 for the period of October 1, 2004, through July 27, 2005".

(2) CONTRACT AUTHORITY.--Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330; 119 Stat. 346; 119 Stat. 379) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

11. SURFACE TRANSPORTATION EXTENSION ACT OF 2005, Part V

[Page 119 STAT. 410]

Public Law 109-40
July 28, 2005

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(f) NATIONAL DRIVER REGISTER.--

(1) FUNDING.--Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330; 119 Stat. 346; 119 Stat. 379; 119 Stat. 394) is amended by striking "\$2,958,904 for the period of October 1, 2004, through July 27, 2005" and inserting "\$2,988,493 for the period of October 1, 2004, through July 30, 2005".

(2) CONTRACT AUTHORITY.--Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330; 119 Stat. 346; 119 Stat. 379; 119 Stat. 394) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

12. SURFACE TRANSPORTATION EXTENSION ACT OF 2005, Part VI

[Page 119 STAT. 435]

**Public Law 109-42
July 30, 2005**

SEC. 3. ADMINISTRATIVE EXPENSES FOR NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

(a) IN GENERAL.--There shall be available from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay the administrative expenses of the National Highway Traffic Administration in carrying out the highway safety programs authorized by sections 157 and 163 of chapter 1 of title 23, United States Code, and sections 402, 403, 405, and 410 of chapter 4 of such title, **the National Driver Register under chapter 303 of title 49, United States Code**, the motor vehicle safety program under chapter 301 of such title 49, and the motor vehicle information and cost savings program under part C of subtitle VI of such title 49 \$4,125,000 for the period of July 30, 2005, through August 14, 2005.

(b) CONTRACT AUTHORITY.--Funds made available by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that such funds shall remain available until expended.

UNCODIFIED PROVISION
SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A
LEGACY FOR USERS (SAFETEA-LU)
August 10, 2005, P.L. 109-59; Title II, § 2001(a), 119 Stat. 1519-1520

"SEC. 2001. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.--The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

"(7) NATIONAL DRIVER REGISTER.--For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code, \$3,968,000 for fiscal year 2005, \$4,000,000 for fiscal year 2006, \$4,000,000 for fiscal year 2007, \$4,000,000 for fiscal year 2008, and \$4,000,000 for fiscal year 2009.

"(c) APPLICABILITY OF TITLE 23.--Except as otherwise provided in chapter 4 of title 23, United States Code, and this title, amounts made available under subsection (a) for each of fiscal years 2005 through 2009 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

"(e) CLARIFICATIONS.--The amounts made available by each of subsections (a)(1) through (a)(7) shall be less any amounts made available from the Highway Trust Fund (other than the Mass Transit Account)

by laws enacted before the date of enactment of this Act for the respective programs referred to in each of such subsections for fiscal year 2005. Amounts authorized by such subsections are post-rescission and shall not be subject to any rescission after the date of enactment of this Act."