§ 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.


### Historical and Revision Notes

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In subsection (a), before clause (1), the words “after the date of enactment of this title [Oct. 25, 1982]” are omitted as obsolete.

In subsection (c)(1), the words “The Secretary shall provide by regulation” are substituted for “The Secretary shall, within eighteen months after the date of enactment of this title [Oct. 25, 1982], promulgate a final rule which provides” to eliminate executed language, for consistency in the revised title, and because “rule” and “regulation” are synonymous.

The text of section 203(e) of the National Driver Register Act of 1982 (Public Law 97–364, 96 Stat. 1742) is omitted as unnecessary because of 49:322(a).

### References in Text

Act of July 14, 1960, referred to in subsec. (c)(1), (2)(A), is set out below.

### Amendments


### Register of Revocations of Motor Vehicle Operator’s Licenses

Pub. L. 86–660, July 14, 1960, 74 Stat. 526, as amended by Pub. L. 87–359, Oct. 4, 1961, 75 Stat. 779; Pub. L. 89–563, title IV, § 401, Sept. 9, 1966, 80 Stat. 730, provided: “That the Secretary of Commerce shall establish and maintain a register identifying each individual reported to him by a State, or political subdivision thereof, as an individual with respect to whom such State or political subdivision has denied, terminated, or temporarily withdrawn (except a withdrawal for less than six months based on a series of nonmoving violations) an individual’s license or privilege to operate a motor vehicle.

“Sec. 2. Only at the request of a State, a political subdivision thereof, or a Federal department or agency, shall the Secretary furnish information contained in the register established under the first section of this Act, and such
information shall be furnished only to the requesting party and only with respect to an individual applicant for a motor vehicle operator’s license or permit.

“Sec. 3. As used in this Act, the term ‘State’ includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.”