

## § 31106. Information systems

### How Current is This?

#### **(a) Information Systems and Data Analysis.—**

**(1) In general.—** Subject to the provisions of this section, the Secretary shall establish and operate motor carrier, commercial motor vehicle, and driver information systems and data analysis programs to support safety regulatory and enforcement activities required under this title.

**(2) Network coordination.—** In cooperation with the States, the information systems under this section shall be coordinated into a network providing accurate identification of motor carriers and drivers, commercial motor vehicle registration and license tracking, and motor carrier, commercial motor vehicle, and driver safety performance data.

**(3) Data analysis capacity and programs.—** The Secretary shall develop and maintain under this section data analysis capacity and programs that provide the means to—

**(A)** identify and collect necessary motor carrier, commercial motor vehicle, and driver data;

**(B)** evaluate the safety fitness of motor carriers and drivers;

**(C)** develop strategies to mitigate safety problems and to use data analysis to address and measure the effectiveness of such strategies and related programs;

**(D)** determine the cost-effectiveness of Federal and State safety compliance and enforcement programs and other countermeasures; and

**(E)** adapt, improve, and incorporate other information and information systems as the Secretary determines appropriate.

**(4) Standards.—** To implement this section, the Secretary shall prescribe technical and operational standards to ensure—

**(A)** uniform, timely, and accurate information collection and reporting by the States and other entities as determined appropriate by the Secretary;

**(B)** uniform Federal, State, and local policies and procedures necessary to operate the information system; and

**(C)** the reliability and availability of the information to the Secretary and States.

#### **(b) Performance and Registration Information Program.—**

**(1) Information clearinghouse.—** The Secretary shall include, as part of the motor carrier information system authorized by this section, a program to establish and maintain a clearinghouse and repository of information related to State registration and licensing of commercial motor vehicles, the registrants of such vehicles, and the motor carriers operating such vehicles. The clearinghouse and repository may include information on the safety fitness of each of the motor carriers and registrants and other information the Secretary considers appropriate, including information on motor carrier, commercial motor vehicle, and driver safety performance.

**(2) Design.—** The program shall link Federal motor carrier safety information systems with State driver and commercial vehicle registration and licensing systems and shall be designed to enable a State to—

**(A)** determine the safety fitness of a motor carrier or registrant when licensing or registering the registrant or motor carrier or while the license or registration is in effect; and

**(B)** decide, in cooperation with the Secretary, whether and what types of sanctions or operating limitations to impose on the motor carrier or registrant to ensure safety.

**(3) Conditions for participation.—** The Secretary shall require States, as a condition of participation in the program, to—

**(A)** comply with the uniform policies, procedures, and technical and operational standards prescribed by the Secretary under subsection (a)(4); and

**(B)** possess or seek authority to impose commercial motor vehicle registration sanctions on the basis of a Federal safety fitness determination.

**(4) Funding.**— The Secretary may make available up to 50 percent of the amounts available to carry out this section by section 31107 in each of fiscal years 1998, 1999, 2000, 2001, 2002, and 2003 to carry out this subsection. The Secretary is encouraged to direct no less than 80 percent of amounts made available to carry out this subsection to States that have not previously received financial assistance to develop or implement the information systems authorized by this section.

**(c) Commercial Motor Vehicle Driver Safety Program.**— In coordination with the information system under section 31309, the Secretary is authorized to establish a program to improve commercial motor vehicle driver safety. The objectives of the program shall include—

**(1)** enhancing the exchange of driver licensing information among the States, the Federal Government, and foreign countries;

**(2)** providing information to the judicial system on commercial motor vehicle drivers;

**(3)** evaluating any aspect of driver performance that the Secretary determines appropriate; and

**(4)** developing appropriate strategies and countermeasures to improve driver safety.

**(d) Cooperative Agreements, Grants, and Contracts.**— The Secretary may carry out this section either independently or in cooperation with other Federal departments, agencies, and instrumentalities, or by making grants to, and entering into contracts and cooperative agreements with, States, local governments, associations, institutions, corporations, and other persons.

**(e) 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.