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### CONGRESS PASSES FAST ACT

The United States Congress has passed the "Fixing America's Surface Transportation (FAST) Act." The [FAST Act](#) is a \$305 billion five-year surface transportation reauthorization bill authorizing federal highway programs through 2020. A one-year reduction from the original six-year plan to a five-year reauthorization allowed for an approximate 15 percent increase in highway spending. The passing vote followed the conference report that cleaned up legislative differences between the House and the Senate prior to the December 4th expiration of authorization. AAMVA has prepared an AAMVA member-specific [analysis](#) (member login required) that highlights the sections of interest to members, some particular items of note include:

- SECTION 24105 - PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS - requires DOT to implement a 2 year pilot program to evaluate the feasibility and effectiveness of a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. The section provides grants to each eligible state (no more than 6 states) who agree to notify each owner or lessee of any open recall at the time of registration. Participating states must provide the information at no cost to the owner/lessee.
- SECTION 24111 - ELECTRONIC ODOMETER DISCLOSURES – allows state to provide electronic odometer disclosures **without DOT approval** if the state complies with federal and state laws regarding electronic signatures, and the disclosures or notices otherwise meet appropriate authentication and security measures. This authority would cease to be effective once NHTSA regulations have been prescribed.
- SECTION 1414 - IMPAIRED DRIVING - changes the "repeat offender criteria" to include a state that has multiple laws that **satisfies the same minimum penalties as a single law would have** and changes the driving privilege

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penalties associated with those laws.

- SECTION 4005 - MOTORCYCLIST SAFETY - directs DOT to update and provide the states model "share the road" language for use in traffic safety education courses, driver's manuals, and other driver training materials that provides instructions for drivers of motor vehicles on the importance of sharing the road safely with motorcyclists.
- SECTION 4005 - STATE GRADUATED DRIVER LICENSING INCENTIVE GRANTS - changes the requirements a state's GDL program must meet to receive a graduated driver licensing grant.
- SECTION 5101 - GRANTS TO STATES - extensive changes to the motor carrier grant program:
  - States conduct new entrant safety audits, or at least verify the quality of audits if they are performed by a third party.
  - States agree to fully participate in PRISM no later than October 1, 2020 or demonstrates an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety;
  - In the case of a state that shares a land border with another country, provides that the state –
    - Will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or
    - Will forfeit all funds calculated by the Secretary based on border-related activities if the state declines to conduct the program described in clause (i) in its plan; and
  - DOT prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws.
- SECTION 5206 - EXEMPTIONS - extends the length of exemptions issued by FMCSA from 2 years to 5 years. Further, any exemption that is in effect on the date of enactment, except as specified, is valid for a period of 5 years from the date the exemption was granted.
- SECTION 5401 - OPPORTUNITIES FOR VETERANS - requires DOT to modify regulations to:
  - Exempt a covered individual from all or a portion of a driving test if the covered individual had experience in the armed forces or reserve components driving vehicles similar to a commercial vehicle;
  - Ensure that a covered individual may apply for a training exemption during, at least, the 1-year period beginning on the date on which the individual separates from service in the armed forces; and
  - Credit the training and knowledge a covered individual received in the armed forces or reserve driving vehicles similar to a commercial motor vehicle for purposes of satisfying minimum standards for training and knowledge.
- SECTION 5404 - COMMERCIAL DRIVER PILOT PROGRAM - establishes a pilot program to study the feasibility, benefits, and safety impacts of allowing a driver between the ages of 18 and 21 who is a member or former member of the armed forces or reserves to operate a commercial motor vehicle in interstate commerce if they are qualified in a military occupational specialty to operate a commercial motor vehicle or similar vehicle.
- SECTION 5506 - REPORT ON COMMERCIAL DRIVER'S LICENSE SKILLS TEST DELAYS - requires (within 1 year of enactment) FMCSA submit a report to congress that:
  - Describes, for each state, the status of skills testing for applicants for a

CDL, including –

- The average wait time, by month and location, from the date an applicant requests to take a skills test to the date the applicant completes such test;
  - The average wait time, by month and location, from the date an applicant, upon failure of a skills test, requests a retest to the date the applicant completes such retest;
  - The actual number of qualified commercial driver's license examiners, by month and location, available to test applicants; and
  - The number of testing sites available through the state department of motor vehicles and whether this number has increased or decreased from the previous year; and
  - Describes specific steps FMCSA is taking to address skills testing delays in states that have average skills test or retest wait times of more than 7 days from the date an applicant requests to test or retest to the date the applicant completes such test or retest.
  - SECTION 5512 - ACCESS TO NATIONAL DRIVER REGISTER - allows the Administrator of FMCSA to request the chief driver licensing official of a state provide information about an individual in connection with a safety investigation under the Administrator's jurisdiction.
  - SECTION 6025 - AUTONOMOUS TRANSPORTATION – directs GAO to develop a public report that assesses the status of autonomous transportation technology policy developed by public entities, assesses the organizational readiness to address autonomous vehicle technology challenges, including consumer privacy protections, and recommend implementation paths for autonomous vehicles.
  - SECTION 7208 - HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION - allows a State at their discretion to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under 49 USC 383 if the license holder:
    - Is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and
    - Is operating a service vehicle that is
      - Transporting diesel in a quantity of 1,000 gallons or less; and
      - Is clearly marked with a "flammable" or "combustible" placard as appropriate.
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