



(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit the issuance of commercial driver's licenses to individuals who are not citizens or lawful permanent residents of the United States or holders of certain work visas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. HOUCIN introduced the following bill; which was referred to the
Committee on _____

A BILL

To prohibit the issuance of commercial driver's licenses to individuals who are not citizens or lawful permanent residents of the United States or holders of certain work visas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as "The Dalilah Law".

1 **SEC. 2. PROHIBITION ON ISSUANCE OF CDLS TO INDIVID-**
2 **UALS WHO ARE NOT CITIZENS OR LAWFUL**
3 **PERMANENT RESIDENTS OF THE UNITED**
4 **STATES OR HOLDERS OF CERTAIN WORK**
5 **VISAS.**

6 (a) DEFINITIONS.—In this section:

7 (1) COMMERCIAL DRIVER'S LICENSE.—The
8 term “commercial driver's license” has the meaning
9 given the term in section 31301 of title 49, United
10 States Code.

11 (2) COMMERCIAL MOTOR VEHICLE.—The term
12 “commercial motor vehicle” has the meaning given
13 the term in section 31301 of title 49, United States
14 Code.

15 (3) COVERED EXAMINATION.—The term “cov-
16 ered examination” means any test or examination
17 relating to the issuance or renewal of a covered li-
18 cense or authorization, including—

19 (A) a commercial driver's license knowl-
20 edge test;

21 (B) a commercial driver's license skills
22 test; and

23 (C) any other test or examination required
24 to acquire, maintain, or upgrade a covered li-
25 cense or authorization.

1 (4) COVERED FUNDING.—The term “covered
2 funding”, with respect to a State, means any fund-
3 ing that is authorized to be provided by the Sec-
4 retary to that State, or for a project or activity car-
5 ried out in that State, under any provision of Fed-
6 eral law (including regulations).

7 (5) COVERED LICENSE OR AUTHORIZATION.—
8 The term “covered license or authorization”
9 means—

10 (A) a commercial driver’s license, including
11 a non-domiciled commercial driver’s license; and

12 (B) any other license or authorization
13 issued by a State authorizing an individual to
14 operate a commercial motor vehicle.

15 (6) NON-DOMICILED COMMERCIAL DRIVER’S LI-
16 CENSE.—The term “non-domiciled commercial driv-
17 er’s license” means a commercial driver’s license
18 issued by a State or other jurisdiction to an indi-
19 vidual who is not domiciled in that State or jurisdic-
20 tion, in accordance with part 383 of title 49, Code
21 of Federal Regulations (or successor regulations).

22 (b) PROHIBITION.—Section 31311(a)(12) of title 49,
23 United States Code, is amended—

24 (1) in subparagraph (A)—

1 (A) by striking “who operates” and insert-
2 ing the following: “who—

3 “(i) operates”;

4 (B) in clause (i) (as so designated), by
5 striking “vehicle and is” and inserting the fol-
6 lowing: “vehicle;

7 “(ii) is”; and

8 (C) in clause (ii) (as so designated), by
9 striking “State.” and inserting the following:
10 “State; and

11 “(iii) is a citizen or lawful permanent resi-
12 dent of the United States.”;

13 (2) in subparagraph (B)—

14 (A) in clause (i), by striking “and” at the
15 end;

16 (B) in clause (ii), by striking the period at
17 the end and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(iii)(I) is a citizen or lawful permanent
20 resident of the United States; or

21 “(II) is a nonimmigrant described in sub-
22 paragraph (E)(ii), (II)(ii)(a), or (II)(ii)(b) of
23 section 101(a)(15) of the Immigration and Na-
24 tionality Act (8 U.S.C. 1101(a)(15)) and is in
25 possession of a valid, unexpired nonimmigrant

1 visa issued to the individual pursuant to any
2 such subparagraph.”; and

3 (3) in subparagraph (C)—

4 (A) in clause (ii)(II), by striking “and” at
5 the end;

6 (B) in clause (iii), by striking the period at
7 the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(iv)(I) is a citizen or lawful permanent
10 resident of the United States; or

11 “(II) is a nonimmigrant described in sub-
12 paragraph (E)(ii), (II)(ii)(a), or (II)(ii)(b) of
13 section 101(a)(15) of the Immigration and Na-
14 tionality Act (8 U.S.C. 1101(a)(15)) and is in
15 possession of a valid, unexpired nonimmigrant
16 visa issued to the individual pursuant to any
17 such subparagraph.”.

18 (c) DISQUALIFICATIONS.—Section 31310 of title 49,
19 United States Code, is amended—

20 (1) in subsection (d)(2)—

21 (A) by striking “paragraph (9) of”; and

22 (B) by striking “7102(9)” and inserting
23 “7102”; and

24 (2) by adding at the end the following:

1 “(1) DISQUALIFICATION BASED ON LACK OF CITI-
2 ZENSHIP, LAWFUL PERMANENT RESIDENCE, OR WORK
3 VISA STATUS.—The Secretary shall disqualify from oper-
4 ating a commercial motor vehicle for life an individual who
5 operates a commercial motor vehicle in the United States
6 while that individual is not a citizen or lawful permanent
7 resident of the United States or a nonimmigrant described
8 in subparagraph (E)(ii), (II)(ii)(a), or (II)(ii)(b) of section
9 101(a)(15) of the Immigration and Nationality Act (8
10 U.S.C. 1101(a)(15)) in possession of a valid, unexpired
11 nonimmigrant visa issued to the individual pursuant to
12 any such subparagraph, unless such individual—

13 “(1) is operating a commercial motor vehicle as
14 a nonimmigrant described in subparagraph (B) of
15 that section and is in possession of a valid, unex-
16 pired nonimmigrant visa issued to the individual
17 pursuant to that subparagraph; or

18 “(2) holds a valid travel authorization pursuant
19 to section 217.5 of title 8, Code of Federal Regula-
20 tions (or any successor regulation), and possesses a
21 valid, unexpired admission record pursuant to sec-
22 tion 1302 of title 8, United States Code.”.

23 (d) RECERTIFICATION.—To avoid the withholding of
24 covered funding under paragraphs (1) and (2) of sub-
25 section (e), a State shall—

1 (1) require all individuals who, as of the date
2 of enactment of this Act, hold a covered license or
3 authorization issued by the State to be recertified
4 for that covered license or authorization not later
5 than 180 days after the date of enactment of this
6 Act, which recertification shall include verification
7 that the individual—

8 (A) is—

9 (i) a citizen or lawful permanent resi-
10 dent of the United States; or

11 (ii) a nonimmigrant described in sub-
12 paragraph (E)(ii), (II)(ii)(a), or (II)(ii)(b)
13 of section 101(a)(15) of the Immigration
14 and Nationality Act (8 U.S.C.
15 1101(a)(15)) in possession of a valid, un-
16 expired nonimmigrant visa issued to the
17 individual pursuant to any such subpara-
18 graph;

19 (B) is proficient in the English language,
20 as described in section 391.11(b)(2) of title 49,
21 Code of Federal Regulations (as in effect on the
22 date of enactment of this Act); and

23 (C) has passed all covered examinations re-
24 lating to the covered license or authorization in
25 English; and

1 (2) revoke the covered license or authorization
2 of any individual who—

3 (A) fails to recertify by the deadline de-
4 scribed in paragraph (1); or

5 (B) on recertification under that para-
6 graph, is found—

7 (i) to be neither—

8 (I) a citizen or lawful permanent
9 resident of the United States; or

10 (II) a nonimmigrant described in
11 subparagraph (E)(ii), (II)(ii)(a), or
12 (II)(ii)(b) of section 101(a)(15) of the
13 Immigration and Nationality Act (8
14 U.S.C. 1101(a)(15)) in possession of
15 a valid, unexpired nonimmigrant visa
16 issued to the individual pursuant to
17 any such subparagraph;

18 (ii) not to be proficient in the English
19 language, as described in section
20 391.11(b)(2) of title 49, Code of Federal
21 Regulations (as in effect on the date of en-
22 actment of this Act); or

23 (iii) not to have passed all covered ex-
24 aminations relating to the covered license
25 or authorization in English.

1 (c) WITHHOLDING OF COVERED FUNDING.—

2 (1) WITHHOLDING FOR RECERTIFICATION FAIL-
3 URE.—Notwithstanding any other provision of law,
4 beginning with the first fiscal year beginning after
5 the deadline for recertifications under subsection
6 (d)(1), the Secretary shall withhold all covered fund-
7 ing from a State that fails to complete those recer-
8 tifications by that deadline.

9 (2) WITHHOLDING FOR REVOCATION FAIL-
10 URE.—Notwithstanding any other provision of law,
11 beginning with the first fiscal year beginning after
12 the deadline for recertifications under subsection
13 (d)(1), the Secretary shall withhold all covered fund-
14 ing from a State that fails to complete the revoca-
15 tions described in subsection (d)(2) by that deadline.

16 (3) WITHHOLDING FOR STATUS VERIFICATION
17 FAILURE.—Notwithstanding any other provision of
18 law, beginning with the first fiscal year beginning
19 after the date of enactment of this Act, the Sec-
20 retary shall withhold all covered funding from a
21 State that, after that date of enactment, issues cov-
22 ered licenses or authorizations to individuals who are
23 neither—

24 (A) citizens or lawful permanent residents
25 of the United States; or

1 (B) nonimmigrants described in subpara-
2 graph (E)(ii), (II)(ii)(a), or (II)(ii)(b) of section
3 101(a)(15) of the Immigration and Nationality
4 Act (8 U.S.C. 1101(a)(15)) in possession of a
5 valid, unexpired nonimmigrant visa issued to
6 such individuals pursuant to any such subpara-
7 graph.

8 (4) WITHHOLDING FOR ENGLISH PROFICIENCY
9 VERIFICATION FAILURE.—Notwithstanding any
10 other provision of law, beginning with the first fiscal
11 year beginning after the date of enactment of this
12 Act, the Secretary shall withhold all covered funding
13 from a State that, after that date of enactment—

14 (A) issues covered licenses or authoriza-
15 tions to individuals who are not proficient in
16 the English language, as described in section
17 391.11(b)(2) of title 49, Code of Federal Regu-
18 lations (or a successor regulation); or

19 (B) administers any covered examination
20 in any language other than English.