

108TH CONGRESS
1ST SESSION

H. R. 1641

To require increased safety testing of 15-passenger vans, ensure the compliance of 15-passenger vans used as schoolbuses with motor vehicle safety standards applicable to schoolbuses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2003

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require increased safety testing of 15-passenger vans, ensure the compliance of 15-passenger vans used as schoolbuses with motor vehicle safety standards applicable to schoolbuses, 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 “Passenger Van Safety
5 Act of 2003”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) 15-PASSENGER VAN.—The term “15-pas-
 2 senger van” means a van designed or used to carry
 3 9 to 15 passengers, including the driver.

4 (2) SECRETARY.—The term “Secretary” means
 5 the Secretary of Transportation.

6 **TITLE I—ENHANCED VAN** 7 **SAFETY**

8 **SEC. 101. DYNAMIC ROLLOVER TESTING PROGRAM.**

9 (a) REQUIREMENT FOR ROLLOVER TESTING.—Not
 10 later than 2 years after the date of the enactment of this
 11 Act, the Secretary shall, under Section 30117(c) of title
 12 49, United States Code—

13 (1) develop a dynamic test on rollovers by 15-
 14 passenger vans for the purposes of a consumer infor-
 15 mation program; and

16 (2) carry out a program of conducting such
 17 tests.

18 (b) AMENDMENT.—Section 30117(c) of title 49,
 19 United States Code, is amended by—

20 (1) in paragraph (1), striking “Not later than
 21 2 years from the date of the enactment of this sub-
 22 section,”; and

23 (2) in paragraph (3), after “or less”, inserting
 24 “, and to vans designed or used to carry 9 to 15

1 passengers, including the driver, irrespective of gross
2 vehicle weight rating”.

3 **SEC. 102. NEW CAR ASSESSMENT PROGRAM.**

4 The Secretary shall require the testing of 15-pas-
5 senger vans at various load condition levels as part of the
6 rollover resistance program of the National Highway Traf-
7 fic Safety Administration’s New Car Assessment Pro-
8 gram.

9 **SEC. 103. TESTING AND EVALUATION OF VAN STABILITY**
10 **TECHNOLOGICAL SYSTEMS.**

11 (a) REQUIREMENT FOR TESTING AND EVALUA-
12 TION.—The Secretary shall test and evaluate various tech-
13 nological systems to determine the effectiveness of such
14 systems in assisting drivers of 15-passenger vans to con-
15 trol the vans under conditions that cause vehicle rollover.

16 (b) SYSTEMS TESTED.—The technological systems
17 tested and evaluated under this section shall include elec-
18 tronic stability control systems, rear-view mirror-based
19 rollover warning systems, traction systems, lane departure
20 systems, and antilock brakes.

21 (c) CONSULTATION.—The Secretary shall consult
22 with manufacturers of 15-passenger vans in the testing
23 and evaluation of technological systems under this section.

1 **SEC. 104. APPLICATION OF FEDERAL MOTOR CARRIER**
 2 **SAFETY ADMINISTRATION REGULATIONS.**

3 Not later than 180 days after the date of the enact-
 4 ment of this Act, the Secretary shall issue a final rule initi-
 5 ated pursuant to the proposed rulemaking published in the
 6 Federal Register on January 11, 2001, Docket No.
 7 FMCSA–2000–7017, relating to the application of Fed-
 8 eral Motor Carrier Safety Regulations to the commercial
 9 operation of 15-passenger vans.

10 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated such sums
 12 as may be necessary to carry out the provisions of this
 13 title.

14 **TITLE II—APPLICABILITY OF**
 15 **SCHOOL BUS SAFETY STAND-**
 16 **ARDS**

17 **SEC. 201. PROHIBITION ON PURCHASE, RENTAL, OR LEASE**
 18 **OF NONCOMPLYING 15-PASSENGER VANS FOR**
 19 **USE AS SCHOOLBUSES.**

20 (a) PROHIBITION.—Section 30112(a) of title 49,
 21 United States Code, is amended—

22 (1) by inserting “(1)” before “Except as pro-
 23 vided in this section”; and

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

25 “(2) Except as provided in this section, sections
 26 30113 and 30114 of this title, and subchapter III of this

1 chapter, a person may not purchase, rent, or lease any
 2 motor vehicle designed or used to transport 9 to 15 pas-
 3 sengers that the person knows or reasonably should know
 4 will be used significantly to transport preprimary, pri-
 5 mary, and secondary school students to or from school or
 6 an event related to school, unless the motor vehicle com-
 7 plies with the motor vehicle standards prescribed for
 8 schoolbuses under section 30125 of this title.”.

9 (b) LIMITATION ON APPLICATION.—Subsection (a)
 10 shall not apply to any purchase, rental, or lease of a motor
 11 vehicle required under a contract entered into before the
 12 date of the enactment of this Act.

13 **SEC. 202. PENALTY.**

14 Section 30165(a)(1) of title 49, United States Code,
 15 is amended—

16 (1) by striking “A” before “person” and insert-
 17 ing “(A) Except as provided in subparagraph (B) of
 18 this paragraph, a”; and

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

20 “(B) The maximum amount of a civil penalty
 21 under this paragraph shall be \$25,000, in the case
 22 of—

23 “(i) the manufacture, sale, offer for sale,
 24 introduction or delivery for introduction into
 25 interstate commerce, or importation of a school-

1 bus or schoolbus equipment (as those terms are
2 defined in section 30125(a) of this title) in vio-
3 lation of section 30112(a)(1) of this title; or

4 “(ii) a violation of section 30112(a)(2) of
5 this title.

6 “(C) Subparagraph (B) does not affect the
7 maximum penalty that may be imposed under sub-
8 paragraph (A) for a related series of violations.

9 “(D) Notwithstanding section 3302(b) of title
10 31, penalties collected under subparagraph (B)—

11 “(i) shall be credited as offsetting collec-
12 tions to the account that funds the enforcement
13 of subparagraph (B);

14 “(ii) shall be available for expenditure only
15 to pay the costs of such enforcement; and

16 “(iii) shall remain available until ex-
17 pended.”.

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