

108TH CONGRESS
2D SESSION

H. R. 4167

To authorize appropriations for the motor vehicle safety and information and cost savings programs of the National Highway Traffic Safety Administration for fiscal years 2005 through 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2004

Mr. STEARNS (by request) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To authorize appropriations for the motor vehicle safety and information and cost savings programs of the National Highway Traffic Safety Administration for fiscal years 2005 through 2007, 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 **TITLE I—MOTOR VEHICLE**
4 **SAFETY**

5 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 30104 of title 49, United States Code, is
7 amended to read as follows:

1 **“§ 30104. Authorization of Appropriations**

2 “There is authorized to be appropriated to the Sec-
3 retary of Transportation \$125,221,000 for the National
4 Highway Traffic Safety Administration to carry out this
5 part for fiscal year 2005, and such sums as may be nec-
6 essary for fiscal years 2006 and 2007.”.

7 **SEC. 102. INTERNATIONAL COOPERATION.**

8 (a) IN GENERAL.—Subchapter I of chapter 301 of
9 title 49, United States Code, is amended by adding at the
10 end the following:

11 **“§ 30106. International Cooperation**

12 “The Secretary of Transportation may participate
13 and cooperate in international activities to enhance motor
14 vehicle and traffic safety through such means as exchang-
15 ing information, conducting safety research, examining
16 safety needs, best practices, new technology, and improve-
17 ments in motor vehicle safety standards, and participating
18 in the implementation of existing international agreements
19 concerning motor vehicle safety to which the United States
20 is a contracting partner.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for subchapter I of chapter 301 of title 49, United States
23 Code is amended by adding at the end the following new
24 item:

“30106. International cooperation.”.

1 **SEC. 103. CERTIFICATION LABELS.**

2 Section 30115(a) of title 49, United States Code, is
3 amended by inserting at the end the following: “A person
4 shall not affix a certification label to a motor vehicle or
5 item of motor vehicle equipment unless the person has ei-
6 ther performed tests or otherwise documented the basis
7 for certifying compliance with all applicable safety stand-
8 ards prescribed under this chapter, except that, in affixing
9 the certification label or tag, a manufacturer that com-
10 pletes a vehicle after receiving compliance documentation
11 from the manufacturer of the earlier stage of the vehicle
12 may rely on such documentation in accordance with the
13 regulations issued by the Secretary.”.

14 **SEC. 104. NOTIFICATION OF NONCOMPLIANCE.**

15 Section 30118 of title 49, United States Code is
16 amended in subsections (a), (b), and (c) by striking
17 “motor vehicle or replacement equipment” each place it
18 appears and inserting “motor vehicle, original equipment,
19 or replacement equipment”.

20 **SEC. 105. NOTIFICATION OF AND REMEDIES FOR NON-**
21 **COMPLIANCE.**

22 Section 30120 of title 49, United States Code, is
23 amended by adding at the end the following:

24 “(k) LIMITATION ON SALE OR LEASE OF USED
25 MOTOR VEHICLES.—

1 “(1) A dealer may not sell a used motor vehicle
2 for purposes other than resale or lease a used motor
3 vehicle until the dealer informs the purchaser or les-
4 see of any notification of a defect or noncompliance
5 pursuant to section 30118(b) or (c) of this title with
6 respect to a vehicle that has not been remedied, and
7 either—

8 “(A) offers to have the defects or non-
9 compliances remedied; or

10 “(B) gives the purchaser or lessee a writ-
11 ten description of the defects or noncompli-
12 ances, including all relevant information from
13 any notification pursuant to section 30118(b)
14 or (c) of this title, and

15 reviews a written acknowledgment of the offer or de-
16 scription from the purchaser or lessee.

17 “(2) The requirements of paragraph (1) of this
18 subsection shall apply after a period of time fol-
19 lowing issuance of notifications that the Secretary
20 shall specify. The Secretary may extend this period
21 with respect to particular notifications.

22 “(3) In this subsection, notwithstanding section
23 30102(a)(1) of this title—

24 “(A) ‘dealer’ means a person who sold at
25 least 10 motor vehicles during the prior 12

1 months to purchasers that in good faith pur-
2 chased the vehicles other than for resale; and

3 “(B) ‘used motor vehicle’ means a motor
4 vehicle that has previously been purchased
5 other than for resale.

6 “(4) Subject to regulations issued by the Sec-
7 retary, a manufacturer of a motor vehicle shall es-
8 tablish and maintain an Internet-accessible record
9 system that dealers of used motor vehicles and mem-
10 bers of the public may access, without charge, to de-
11 termine whether a particular vehicle manufactured
12 by the manufacturer has been subject to any notifi-
13 cation of a defect or noncompliance pursuant to sec-
14 tion 30118(b) or (c) of this title that has not been
15 remedied. If the Secretary determines that estab-
16 lishing and maintaining such an Internet-accessible
17 record system is not practicable for certain classes
18 of manufacturers, the Secretary may exempt such
19 manufacturers from the requirements of this para-
20 graph.

21 “(l) LIMITATION ON OPERATION BY OWNERS AND
22 LESSORS OF SCHOOL BUSES AND VEHICLES USED TO
23 TRANSPORT PASSENGERS FOR COMPENSATION.—

24 “(1) Subject to paragraphs (2) and (3), a per-
25 son who owns or leases a school bus or a motor vehi-

1 cle used to transport passengers for compensation
 2 and who receives a notice of a defect or noncompli-
 3 ance pursuant to section 30118(b) or (c) of this title
 4 may not operate the vehicle to which the notice ap-
 5 plies as a school bus or for compensation until the
 6 defect or noncompliance is remedied as required by
 7 this section.

8 “(2) The requirements of paragraph (1) shall
 9 apply after a period of time following issuance of
 10 such notifications that the Secretary shall specify.
 11 The Secretary may extend this period with respect
 12 to particular notifications.

13 “(3) This subsection shall not apply to taxicabs,
 14 or to motor vehicles owned or operated by State or
 15 local governments.”.

16 **SEC. 106. NONUSE OF SAFETY BELT INTERLOCKS.**

17 (a) IN GENERAL.—Section 30124 of title 49 United
 18 States Code, is amended to read as follows:

19 **“§ 30124. Nonuse of safety belt interlocks**

20 “A motor vehicle safety standard prescribed under
 21 this chapter may not require or allow a manufacturer to
 22 comply with the standard by using a safety belt interlock
 23 designed to prevent starting or operating a motor vehicle
 24 if an occupant is not using a safety belt.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for subchapter II of chapter 301 of title 49, United States
3 Code is amended by amending the item related to section
4 30124 to read as follows:

“30124. Nonuse of safety belt interlocks.”.

5 **SEC. 107. RESEARCH, TESTING, DEVELOPMENT, AND TRAIN-**
6 **ING.**

7 Section 30168 of title 49, United States Code, is
8 amended by adding at the end the following:

9 “(f) SAFETY INITIATIVE FOR ALTERNATE FUEL VE-
10 HICLES.—In addition to the authority provided under this
11 section, the Secretary is authorized to expend \$5,000,000
12 per year to conduct a safety research initiative for alter-
13 nate fuel vehicles that includes risk assessment studies of
14 hydrogen-fueled and other alternative-fuel vehicles, the de-
15 velopment of test and evaluation procedures and perform-
16 ance criteria to assess the likelihood of potential failures
17 that could indicate unsafe conditions, and the development
18 of suitable countermeasures. In particular, such research
19 initiative shall investigate the safety of the power train,
20 the vehicle fuel container and delivery system, the onboard
21 refueling system, and the full vehicle system performance
22 of alternate fuel vehicles.

23 “(g) SAFETY INITIATIVE FOR DRIVER ASSISTANCE
24 TECHNOLOGIES.—In addition to the authority provided
25 under this section, the Secretary is authorized to expend

1 \$10,000,000 per year to conduct research into vehicle-
 2 based driver assistance technologies, and to develop appro-
 3 priate performance standards and consumer education
 4 programs, to ensure that appropriate safety benefits are
 5 derived from these technologies. Such research shall in-
 6 clude evaluations of crash avoidance technologies, such as
 7 electronic stability control, telematics, radar braking and
 8 other similar vehicle advances.”.

9 **TITLE II—MOTOR VEHICLE IN-** 10 **FORMATION AND COST SAV-** 11 **INGS**

12 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 32102 of title 49, United States Code, is
 14 amended to read as follows:

15 **“§ 32102. Authorization of appropriations**

16 “There is authorized to be appropriated to the Sec-
 17 retary of Transportation \$14,080,000 for the National
 18 Highway Traffic Safety Administration to carry out this
 19 part in fiscal year 2005, and such sums as may be nec-
 20 essary in fiscal years 2006 and 2007.”.

21 **SEC. 202. PENALTIES AND ENFORCEMENT.**

22 Section 32709(a)(1) of title 49, United States Code,
 23 is amended—

24 (1) by striking “\$2,000” and inserting
 25 “\$5,000”; and

1 (2) by striking “\$100,000” and inserting
2 “\$1,000,000”.

3 **SEC. 203. CIVIL ACTIONS BY PRIVATE PERSON.**

4 Section 32710(a) of title 49, United States Code, is
5 amended by striking “\$1,500” and inserting “\$10,000”.

6 **SEC. 204. DEFINITIONS.**

7 (a) CRASH AVOIDANCE.—Section 32301 of title 49,
8 United States Code, is amended by adding at the end the
9 following:

10 “(3) ‘crash avoidance’ means preventing a
11 motor vehicle accident.”.

12 (b) PASSENGER MOTOR VEHICLE INFORMATION.—
13 Section 32302 of title 49, United States Code, is amend-
14 ed—

15 (1) in subsection (a)—

16 (A) in paragraph (2), by inserting “and
17 crash avoidance” after “crashworthiness”; and

18 (B) by striking paragraph (4); and

19 (2) by striking subsection (c).

20 **SEC. 205. REPEALS.**

21 (a) IN GENERAL.—Sections 32303 and 33112 of title
22 49, United States Code, are repealed.

23 (b) CLERICAL AMENDMENTS.—

1 (1) The table of sections for chapter 323 of title
2 49, United States Code is amended by striking the
3 item related to section 32303.

4 (2) The table of sections for chapter 331 of title
5 49, United States Code is amended by striking the
6 item related to section 33112.

○