

111TH CONGRESS
1ST SESSION

H. R. 259

To amend title 23, United States Code, to establish national standards for State safety inspections of motor vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2009

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to establish national standards for State safety inspections of motor vehicles, 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 “Michael Jon Newkirk
5 Transportation Safety Enhancement Act of 2009”.

6 **SEC. 2. STATE SAFETY INSPECTIONS OF MOTOR VEHICLES.**

7 (a) IN GENERAL.—Chapter I of title 23, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 167. State safety inspections of motor vehicles**

2 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-
3 COMPLIANCE.—

4 “(1) FISCAL YEAR 2012.—On October 1, 2011,
5 the Secretary shall withhold 5 percent of the amount
6 required to be apportioned to a State on that date
7 under each of paragraphs (1), (3), and (4) of section
8 104(b) if the State does not meet the requirements
9 of paragraph (3) on that date.

10 “(2) THEREAFTER.—On October 1, 2012, and
11 on the first day of each fiscal year thereafter, the
12 Secretary shall withhold 10 percent of the amount
13 required to be apportioned to a State on that date
14 under each of paragraphs (1), (3), and (4) of section
15 104(b) if the State does not meet the requirements
16 of paragraph (3) on that date.

17 “(3) REQUIREMENT.—A State meets the re-
18 quirements of this paragraph if the State has en-
19 acted and is enforcing a law that requires the owner
20 of a motor vehicle (as such term is defined in section
21 154(a)) registered in the State to present the vehicle
22 for inspection on an annual basis to ensure that the
23 vehicle meets or exceeds motor vehicle safety stand-
24 ards to be established by the State. At a minimum,
25 such standards shall ensure that the seatbelts and
26 speedometer installed in the vehicle are operable.

1 “(b) APPORTIONMENT OF WITHHELD FUNDS AFTER
2 COMPLIANCE.—

3 “(1) PERIOD OF AVAILABILITY OF WITHHELD
4 FUNDS.—

5 “(A) FUNDS WITHHELD ON OR BEFORE
6 SEPTEMBER 30, 2013.—Any funds withheld
7 under subsection (a) from apportionment to any
8 State on or before September 30, 2013, shall
9 remain available until the end of the third fiscal
10 year following the fiscal year for which the
11 funds are authorized to be appropriated.

12 “(B) FUNDS WITHHELD AFTER SEP-
13 TEMBER 30, 2013.—No funds withheld under
14 this section from apportionment to any State
15 after September 30, 2013, shall be available for
16 apportionment to the State.

17 “(2) APPORTIONMENT.—If, before the last day
18 of the period for which funds withheld under sub-
19 section (a) from apportionment are to remain avail-
20 able for apportionment to a State under paragraph
21 (1), the State meets the requirement of subsection
22 (a)(3), the Secretary shall, on the first day on which
23 the State meets the requirement, apportion to the
24 State the funds withheld under subsection (a) that
25 remain available for apportionment to the State.

1 “(3) PERIOD OF AVAILABILITY OF SUBSE-
2 QUENTLY APPORTIONED FUNDS.—Any funds appor-
3 tioned pursuant to paragraph (2) shall remain avail-
4 able for expenditure until the end of the third fiscal
5 year following the fiscal year in which the funds are
6 so apportioned. Sums not obligated at the end of
7 that period shall lapse.

8 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
9 end of the period for which funds withheld under
10 subsection (a) from apportionment are available for
11 apportionment to a State under paragraph (1), the
12 State does not meet the requirement of subsection
13 (a)(3), the funds shall lapse.”.

14 (b) CONFORMING AMENDMENT.—The analysis for
15 such chapter is amended by adding at the end the fol-
16 lowing:

“167. State safety inspections of motor vehicles.”.

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