

114TH CONGRESS  
1ST SESSION

# S. 617

To ensure that owners of all motor vehicles in use on United States roadways are made aware of, and obtain repairs for, manufacturer-issued safety recalls in a timely manner.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 2, 2015

Mr. MARKEY (for himself and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To ensure that owners of all motor vehicles in use on United States roadways are made aware of, and obtain repairs for, manufacturer-issued safety recalls in a timely manner.

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 “Repairing Every Car  
5 to Avoid Lost Lives Act” or the “RECALL Act”.

1 **SEC. 2. COMPLIANCE WITH SAFETY RECALLS.**

2 (a) IN GENERAL.—Subchapter II of chapter 301 of  
3 title 49, United States Code, is amended by adding at the  
4 end the following:

5 **“§ 30129. Compliance with safety recalls**

6 “(a) PROMPT NOTIFICATION OF AUTOMOBILE SAFE-  
7 TY RECALLS.—A State is in compliance with this sub-  
8 section if the agency responsible for motor vehicle registra-  
9 tion in such State ensures, by searching the recall data-  
10 base maintained by the National Highway Traffic Safety  
11 Administration, using the motor vehicle identification  
12 number, that each registered owner of a motor vehicle reg-  
13 istered in such State is notified of all safety recalls issued  
14 by the manufacturer of the vehicle—

15 “(1) in any case other than a case described in  
16 paragraph (2), not later than the date on which the  
17 agency responsible for motor vehicle registration in  
18 such State notifies such registered owner of the need  
19 to renew the registered owner’s motor vehicle reg-  
20 istration; or

21 “(2) in a case in which the motor vehicle owner  
22 is applying, for the first time, to register a vehicle  
23 in the State or in a case in which a safety recall oc-  
24 curs after the date on which the registration renewal  
25 notice is sent to the owner and before the State

1 grants the renewal, not later than the date on which  
 2 the motor vehicle registration is completed.

3 “(b) SAFETY RECALL REMEDIES TO BE COMPLETED  
 4 BEFORE MOTOR VEHICLE REGISTRATION RENEWALS.—

5 “(1) IN GENERAL.—Except as provided in para-  
 6 graph (2), a State is in compliance with this sub-  
 7 section if the State requires, as a prerequisite for  
 8 motor vehicle registration renewal, that all motor ve-  
 9 hicle owners complete all applicable safety recalls.

10 “(2) EXCEPTION.—A State shall be in compli-  
 11 ance with this subsection if the State exempts a  
 12 motor vehicle owner from the requirement described  
 13 in paragraph (1) in the following cases:

14 “(A) The motor vehicle owner had not  
 15 been notified of the safety recall on or before  
 16 the date on which the owner was notified of the  
 17 need to renew the motor vehicle registration.

18 “(B) The manufacturer, through a local  
 19 dealership, has not provided the motor vehicle  
 20 owner with a reasonable opportunity to com-  
 21 plete any applicable safety recall remedy due to  
 22 a shortage of a necessary part or qualified  
 23 labor.

24 “(C) The motor vehicle owner dem-  
 25 onstrates to the State that the owner has had

1           no reasonable opportunity to complete all appli-  
 2           cable safety recall remedies, in which case the  
 3           State may grant a temporary registration, of up  
 4           to 60 days, during which time the motor vehicle  
 5           owner shall complete all applicable safety recall  
 6           remedies.

7           “(c) WITHHOLDING OF FUNDS FOR NONCOMPLI-  
 8   ANCE.—On the first day of each fiscal year beginning at  
 9   least 1 year after the date of the enactment of this section,  
 10   the Secretary of Transportation shall withhold, from each  
 11   State that is not in compliance with subsections (a) and  
 12   (b), 5 percent of the amount otherwise required to be ap-  
 13   portioned to such State under paragraphs (1) and (2) of  
 14   section 104(b) of title 23 for the purposes specified in such  
 15   paragraphs.”.

16          (b) CLERICAL AMENDMENT.—The table of sections  
 17   for chapter 301 of title 49, United States Code, is amend-  
 18   ed by inserting after the item relating to section 30128  
 19   the following:

“30129. Compliance with safety recalls.”.

