

“(3) \$7,252,739 for the fiscal year ending September 30, 1995.”

CHAPTER 323—CONSUMER INFORMATION

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Editorial Notes

AMENDMENTS

2021—Pub. L. 117–58, div. B, title IV, §§24213(c)(2), 24222(a)(2), Nov. 15, 2021, 135 Stat. 829, 835, added items 32304B and 32310.

2007—Pub. L. 110–140, title I, §111(c), Dec. 19, 2007, 121 Stat. 1507, added item 32304A.

1994—Pub. L. 103–429, §6(28), Oct. 31, 1994, 108 Stat. 4380, substituted “Civil” for “Criminal” in item 32309.

§ 32301. Definitions

In this chapter—

- (1) “crash avoidance” means preventing or mitigating a crash;
- (2) “crashworthiness” means the protection a passenger motor vehicle gives its passengers against personal injury or death from a motor vehicle accident; and
- (3) “damage susceptibility” means the susceptibility of a passenger motor vehicle to damage in a motor vehicle accident.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1035; Pub. L. 112–141, div. C, title I, §31305(a), July 6, 2012, 126 Stat. 765.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32301	15:1901(13), (14).	Oct. 20, 1972, Pub. L. 92–513, §2(13), (14), 86 Stat. 948; Dec. 22, 1975, Pub. L. 94–163, §301, 89 Stat. 901; Oct. 10, 1980, Pub. L. 96–425, §8(a)(2), 94 Stat. 1828; Oct. 25, 1984, Pub. L. 98–547, §101(b), 98 Stat. 2767.

Editorial Notes

AMENDMENTS

2012—Pub. L. 112–141 added par. (1), redesignated former pars. (1) and (2) as (2) and (3), respectively, and, in par. (2), substituted “; and” for period at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effect-

¹Section catchline amended by Pub. L. 114–94 without corresponding amendment of chapter analysis.

tive and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

§ 32302. Passenger motor vehicle information

(a) INFORMATION PROGRAM.—The Secretary of Transportation (referred to in this section as the “Secretary”) shall maintain a program for developing the following information on passenger motor vehicles:

- (1) damage susceptibility.
- (2) crashworthiness, crash avoidance, and any other areas the Secretary determines will improve the safety of passenger motor vehicles.
- (3) the degree of difficulty of diagnosis and repair of damage to, or failure of, mechanical and electrical systems.

(b) MOTOR VEHICLE INFORMATION.—To assist a consumer in buying a passenger motor vehicle, the Secretary shall provide to the public information developed under subsection (a) of this section. The information shall be in a simple and understandable form that allows comparison of the characteristics referred to in subsection (a)(1)–(3) of this section among the makes and models of passenger motor vehicles. The Secretary may require passenger motor vehicle dealers to distribute the information to prospective buyers. The Secretary, after providing an opportunity for public comment, shall study and report to Congress the most useful data, format, and method for providing simple and understandable damage susceptibility information to consumers.

(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.

(d) MOTOR VEHICLE DEFECT REPORTING INFORMATION.—

(1) RULEMAKING REQUIRED.—Not later than 1 year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, the Secretary shall prescribe regulations that require passenger motor vehicle manufacturers—

(A) to affix, in the glove compartment or in another readily accessible location on the vehicle, a sticker, decal, or other device that provides, in simple and understandable language, information about how to submit a safety-related motor vehicle defect complaint to the National Highway Traffic Safety Administration;

(B) to prominently print the information described in subparagraph (A) within the owner’s manual; and

(C) to not place such information on the label required under section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

(2) APPLICATION.—The requirements under paragraph (1) shall apply to passenger motor vehicles manufactured in any model year beginning more than 1 year after the date on which a final rule is published under paragraph (1).

(e) **ADVANCED CRASH-AVOIDANCE TECHNOLOGIES.**—

(1) **NOTICE.**—Not later than 1 year after the date of enactment of this subsection, the Secretary shall publish a notice, for purposes of public review and comment, to establish, distinct from crashworthiness information, a means for providing to consumers information relating to advanced crash-avoidance technologies, in accordance with subsection (a).

(2) **INCLUSIONS.**—The notice under paragraph (1) shall include—

(A) an appropriate methodology for—

(i) determining which advanced crash-avoidance technologies shall be included in the information;

(ii) developing performance test criteria for use by manufacturers in evaluating advanced crash-avoidance technologies;

(iii) determining a distinct rating involving each advanced crash-avoidance technology to be included; and

(iv) updating overall vehicle ratings to incorporate advanced crash-avoidance technology ratings; and

(B) such other information and analyses as the Secretary determines to be necessary to implement the rating of advanced crash-avoidance technologies.

(3) **REPORT.**—Not later than 18 months after the date of enactment of this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes a plan for implementing an advanced crash-avoidance technology information and rating system, in accordance with subsection (a).

(f) **VULNERABLE ROAD USER SAFETY.**—

(1) **NOTICE.**—Not later than 1 year after the date of enactment of this subsection, the Secretary shall publish a notice, for purposes of public review and comment, to establish a means for providing to consumers information relating to pedestrian, bicyclist, or other vulnerable road user safety technologies, in accordance with subsection (a).

(2) **INCLUSIONS.**—The notice under paragraph (1) shall include—

(A) an appropriate methodology for—

(i) determining which technologies shall be included in the information;

(ii) developing performance test criteria for use by manufacturers in evaluating the extent to which automated pedestrian safety systems in light vehicles attempt to prevent and mitigate, to the best extent possible, pedestrian injury;

(iii) determining a distinct rating involving each technology to be included; and

(iv) updating overall vehicle ratings to incorporate vulnerable road user safety technology ratings; and

(B) such other information and analyses as the Secretary determines to be necessary to implement the rating of vulnerable road user safety technologies.

(3) **REPORT.**—Not later than 18 months after the date of enactment of this subsection, the

Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes a plan for implementing an information and rating system for vulnerable road user safety technologies, in accordance with subsection (a).

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1035; Pub. L. 112–141, div. C, title I, §§31305(b), 31306, July 6, 2012, 126 Stat. 765; Pub. L. 112–252, §1, 2(a), Jan. 10, 2013, 126 Stat. 2406; Pub. L. 114–94, div. B, title XXIV, §24322, Dec. 4, 2015, 129 Stat. 1713; Pub. L. 117–58, div. B, title IV, §24213(b), Nov. 15, 2021, 135 Stat. 826.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
32302(a)	15:1941(c) (19th–60th words). 15:1941(d) (1st–13th words).	Oct. 20, 1972, Pub. L. 92–513, §201(c), (e), 86 Stat. 956. Oct. 20, 1972, Pub. L. 92–513, §201(d), 86 Stat. 956; July 14, 1976, Pub. L. 94–364, §201, 90 Stat. 981.
32302(b)	15:1941(c) (1st–18th and 61st–last words), (d) (14th–last words).	
32302(c)	15:1941(e).	

In subsection (a), the words before clause (1) are substituted for “The Secretary shall compile the information described in subsection (c) of this section” and “existing information and information to be developed relating to” for clarity and to eliminate unnecessary words.

In subsection (b), the words “After the study has been completed” are omitted as executed. The words “To assist a consumer in buying a passenger motor vehicle” are substituted for “so as to be of benefit in their passenger motor vehicle purchasing decisions”, and the words “the Secretary shall provide to the public” are substituted for “the Secretary is authorized and directed to devise specific ways in which . . . can be communicated to consumers” and “furnish it to the public”, to eliminate unnecessary words. The word “existing” is omitted as obsolete.

In subsection (c), the words “not later than February 1, 1975” are omitted as executed. The words “prescribe regulations” are substituted for “by rule establish” for consistency in the revised title and because “rule” is synonymous with “regulation”.

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Safety Through Informed Consumers Act of 2015, referred to in subsec. (c), is the date of enactment of part II of subtitle C of title XXIV of div. B of Pub. L. 114–94, which was approved Dec. 4, 2015.

The date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, referred to in subsec. (d)(1), is the date of enactment of title I of div. C of Pub. L. 112–141, which was approved July 6, 2012.

The date of enactment of this subsection, referred to in subsecs. (e)(1), (3) and (f)(1), (3), is the date of enactment of Pub. L. 117–58, which was approved Nov. 15, 2021.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117–58, §24213(b)(1), inserted “(referred to in this section as the “Secretary”)” after “of Transportation” in introductory provisions.

Subsecs. (e), (f). Pub. L. 117–58, §24213(b)(2), added subsecs. (e) and (f).

2015—Subsec. (c). Pub. L. 114–94 added subsec. (c).

2013—Subsec. (b). Pub. L. 112–252, §2(a), inserted at end “The Secretary, after providing an opportunity for public comment, shall study and report to Congress the most useful data, format, and method for providing simple and understandable damage susceptibility information to consumers.”

Subsec. (c). Pub. L. 112–252, §1, struck out subsec. (c). Text read as follows: “The Secretary shall prescribe regulations that require passenger motor vehicle dealers to distribute to prospective buyers information the Secretary develops and provides to the dealers that compares insurance costs for different makes and models of passenger motor vehicles based on damage susceptibility and crashworthiness.”

2012—Subsec. (a)(2). Pub. L. 112–141, §31305(b)(1), inserted “, crash avoidance, and any other areas the Secretary determines will improve the safety of passenger motor vehicles” after “crashworthiness”.

Subsec. (a)(4). Pub. L. 112–141, §31305(b)(2), struck out par. (4) which read as follows: “vehicle operating costs dependent on the characteristics referred to in clauses (1)–(3) of this subsection, including insurance information obtained under section 32303 of this title.”

Subsec. (d). Pub. L. 112–141, §31306, added subsec. (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

REGULATIONS

Pub. L. 112–252, §1, Jan. 10, 2013, 126 Stat. 2406, provided in part that: “any regulations promulgated under such subsection [former subsec. (c) of this section] shall have no force or effect.”

NEW CAR ASSESSMENT PROGRAM; UPDATES

Pub. L. 117–58, div. B, title IV, §24213(a), Nov. 15, 2021, 135 Stat. 826, provided that: “Not later than 1 year after the date of enactment of this Act [Nov. 15, 2021], the Secretary [of Transportation] shall finalize the proceeding for which comments were requested in the notice entitled ‘New Car Assessment Program’ (80 Fed. Reg. 78522 (December 16, 2015)) to update the passenger motor vehicle information required under section 32302(a) of title 49, United States Code.”

IMPROVED VEHICLE SAFETY DATABASES

Pub. L. 117–58, div. B, title IV, §24217, Nov. 15, 2021, 135 Stat. 830, provided that: “Not later than 3 years after the date of enactment of this Act [Nov. 15, 2021], after consultation with frequent users of publicly available databases, the Secretary [of Transportation] shall improve public accessibility to information relating to the publicly accessible vehicle safety databases of the National Highway Traffic Safety Administration by revising the publicly accessible vehicle safety databases—

- “(1) to improve organization and functionality, including design features such as drop-down menus;
- “(2) to allow data from applicable publicly accessible vehicle safety databases to be searched, sorted, aggregated, and downloaded in a manner that—
 - “(A) is consistent with the public interest; and
 - “(B) facilitates easy use by consumers;
- “(3) to provide greater consistency in presentation of vehicle safety issues;
- “(4) to improve searchability regarding specific vehicles and issues, which may include the standardization of commonly used search terms; and
- “(5) to ensure nonconfidential documents and materials relating to information created or obtained by the National Highway Traffic Safety Administration are made publicly available in a manner that is—
 - “(A) timely; and
 - “(B) searchable in databases by any element that the Secretary determines to be in the public interest.”

CONSUMER GUIDANCE

Pub. L. 114–94, div. B, title XXIV, §24103(d), Dec. 4, 2015, 129 Stat. 1703, provided that: “Not later than 1 year after the date of enactment of this Act [Dec. 4, 2015], the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

- “(1) a detailed explanation of what information a consumer should include in a complaint; and
- “(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—
 - “(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and
 - “(B) the length of time a consumer should retain the records described in subparagraph (A).”

DEADLINE FOR REPORT

Pub. L. 112–252, §2(b), Jan. 10, 2013, 126 Stat. 2406, provided that: “The Secretary of Transportation shall carry out the last sentence of section 32302(b) of title 49, United States Code, as added by subsection (a), not later than the date that is 2 years after the date of the enactment of this Act [Jan. 10, 2013].”

§ 32303. Insurance information

(a) GENERAL REPORTS AND INFORMATION REQUIREMENTS.—(1) In carrying out this chapter, the Secretary of Transportation may require an insurer, or a designated agent of the insurer, to make reports and provide the Secretary with information. The reports and information may include accident claim information by make, model, and model year of passenger motor vehicle about the kind and extent of—

- (A) physical damage and repair costs; and
- (B) personal injury.

(2) In deciding which reports and information are to be provided under this subsection, the Secretary shall—

- (A) consider the cost of preparing and providing the reports and information;
- (B) consider the extent to which the reports and information will contribute to carrying out this chapter; and
- (C) consult with State authorities and public and private agencies the Secretary considers appropriate.

(3) To the extent possible, the Secretary shall obtain reports and information under this subsection on a voluntary basis.

(b) REQUESTED INFORMATION ON CRASHWORTHINESS, DAMAGE SUSCEPTIBILITY, AND REPAIR AND PERSONAL INJURY COST.—When requested by the Secretary, an insurer shall give the Secretary information—

- (1) about the extent to which the insurance premiums charged by the insurer are affected by damage susceptibility, crashworthiness, and the cost of repair and personal injury, for each make and model of passenger motor vehicle; and
- (2) available to the insurer about the effect of damage susceptibility, crashworthiness, and the cost of repair and personal injury for each make and model of passenger motor vehicle on the risk incurred by the insurer in insuring that make and model.

(c) DISCLOSURE.—In distributing information received under this section, the Secretary may