

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

disclose identifying information about a person that may be an insured, a claimant, a passenger, an owner, a witness, or an individual involved in a motor vehicle accident, only with the consent of the person.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1036.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|----------------------|---|
| 32303(a) | 15:1945(a)-(d), (g). | Oct. 20, 1972, Pub. L. 92-513, § 205, 86 Stat. 958. |
| 32303(b) | 15:1945(e). | |
| 32303(c) | 15:1945(f). | |

In subsection (a), the words “carrying out this chapter” are substituted for “to enable him to carry out the purposes of this subchapter” to eliminate unnecessary words. The word “provide” is substituted for “furnish” for consistency.

In subsection (a)(1), before clause (A), the words “the Secretary of Transportation may require . . . to . . . provide the Secretary with” are substituted for “shall, upon request by the Secretary . . . as the Secretary may reasonably require” to eliminate unnecessary words. The text of 15:1945(g) is omitted as surplus because of 49:322(a). The word “information” is substituted for “data” for consistency in the section. In clause (A), the words “repair costs” are substituted for “the cost of remedying the damage” to eliminate unnecessary words.

In subsection (a)(2)(C), the words “State authorities and public and private agencies” are substituted for “such State and insurance regulatory agencies and other agencies and associations, both public and private” for consistency and to eliminate unnecessary words.

In subsection (b), before clause (1), the word “information” is substituted for “a description of” for consistency in the section. In clause (1), the word “premiums” is substituted for “rates or premiums” because it is inclusive. In clause (2), the words “by the insurer” are added for clarity.

In subsection (c), the words “identifying information” are substituted for “the name of, or other identifying information”, and the words “a witness, or an individual involved” are substituted for “a driver, an injured person, a witness, or otherwise involved” to eliminate unnecessary words. The word “accident” is substituted for “crash or collision” for consistency in this section. The words “so named or otherwise identified” are omitted as surplus.

§ 32304. Passenger motor vehicle country of origin labeling

(a) DEFINITIONS.—In this section—

(1) “allied supplier” means a supplier of passenger motor vehicle equipment that is wholly owned by the manufacturer, or if a joint venture vehicle assembly arrangement, a supplier that is wholly owned by one member of the joint venture arrangement.

(2)(A) “carline”—

(i) means a name given a group of passenger motor vehicles that has a degree of commonality in construction such as body and chassis;

(ii) does not consider a level of decor or opulence; and

(iii) except for light duty trucks, is not generally distinguished by characteristics such as roof line, number of doors, seats, or windows; and

(B) light duty trucks are different carlines than passenger motor vehicles.

(3) “country of origin”, when referring to the origin of an engine or transmission, means the country from which the largest share of the dollar value added to an engine or transmission has originated—

(A) with the United States and Canada treated as separate countries; and

(B) the estimate of the percentage of the dollar value shall be based on the purchase price of direct materials, as received at individual engine or transmission plants, of engines of the same displacement and transmissions of the same transmission type, plus the assembly and labor costs incurred for the final assembly of such engines and transmissions.

(4) “dealer” means a person residing or located in the United States, including the District of Columbia or a territory or possession of the United States, and engaged in selling or distributing new passenger motor vehicles to the ultimate purchaser.

(5) “final assembly place” means the plant, factory, or other place at which a new passenger motor vehicle is produced or assembled by a manufacturer, and from which the vehicle is delivered to a dealer or importer with all component parts necessary for the mechanical operation of the vehicle included with the vehicle, whether or not the component parts are permanently installed in or on the vehicle. Such term does not include facilities for engine and transmission fabrication and assembly and the facilities for fabrication of motor vehicle equipment component parts which are produced at the same final assembly place using forming processes such as stamping, machining, or molding processes.

(6) “foreign content” means passenger motor vehicle equipment that is not of United States/Canadian origin.

(7) “manufacturer” means a person—

(A) engaged in manufacturing or assembling new passenger motor vehicles;

(B) importing new passenger motor vehicles for resale; or

(C) acting for and under the control of such a manufacturer, assembler, or importer in connection with the distribution of new passenger motor vehicles.

(8) “new passenger motor vehicle” means a passenger motor vehicle for which a manufacturer, distributor, or dealer has never transferred the equitable or legal title to the vehicle to an ultimate purchaser.

(9) “of United States/Canadian origin”, when referring to passenger motor vehicle equipment, means—

(A) for an outside supplier—

(i) the full purchase price of passenger motor vehicle equipment whose purchase price contains at least 70 percent value added in the United States and Canada; or

(ii) that portion of the purchase price of passenger motor vehicle equipment containing less than 70 percent value added in the United States and Canada that is attributable to the percent value added in the United States and Canada when such percent is expressed to the nearest 5 percent; and