

mits” are substituted for “unless the Secretary presents” for clarity. The word “reasons” is substituted for “a detailed explanation of the reasons” to eliminate unnecessary words.

Editorial Notes

AMENDMENTS

1998—Subsec. (c). Pub. L. 105-277, §101(g) [title III, §351(b)(1)(A)], substituted “all or any part of a standard” for “any part of a standard” in introductory provisions.

Subsec. (c)(3). Pub. L. 105-277, §101(g) [title III, §351(b)(1)(B)–(D)], added par. (3).

Statutory Notes and Related Subsidiaries

HOOD AND BUMPER STANDARDS

Pub. L. 117-58, div. B, title IV, §24214, Nov. 15, 2021, 135 Stat. 829, provided that:

“(a) NOTICE.—Not later than 2 years after the date of enactment of this Act [Nov. 15, 2021], the Secretary [of Transportation] shall issue a notice, for purposes of public review and comment, regarding potential updates to hood and bumper standards for motor vehicles (as defined in section 30102(a) of title 49, United States Code).

“(b) INCLUSIONS.—The notice under subsection (a) shall include information relating to—

“(1) the incorporation or consideration of advanced crash-avoidance technology in existing motor vehicle standards;

“(2) the incorporation or consideration of standards or technologies to reduce the number of injuries and fatalities suffered by pedestrians, bicyclists, or other vulnerable road users;

“(3) the development of performance test criteria for use by manufacturers in evaluating advanced crash-avoidance technology, including technology relating to vulnerable road user safety;

“(4) potential harmonization with global standards, including United Nations Economic Commission for Europe Regulation Number 42; and

“(5) such other information and analyses as the Secretary determines to be necessary.

“(c) REPORT.—Not later than 2 years after the date of enactment of this Act, 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—

“(1) the current status of hood and bumper standards;

“(2) relevant advanced crash-avoidance technology;

“(3) actions needed to be carried out to develop performance test criteria; and

“(4) if applicable, a plan for incorporating advanced crash-avoidance technology, including technology relating to vulnerable road user safety, in existing standards.”

§ 32503. Judicial review of bumper standards

(a) FILING AND VENUE.—A person that may be adversely affected by a standard prescribed under section 32502 of this title may apply for review of the standard by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business. The petition must be filed not later than 59 days after the standard is prescribed.

(b) NOTIFYING SECRETARY.—The clerk of the court shall send immediately a copy of the petition to the Secretary of Transportation. The

Secretary shall file with the court a record of the proceeding in which the standard was prescribed.

(c) ADDITIONAL PROCEEDINGS.—(1) On request of the petitioner, the court may order the Secretary to receive additional evidence and evidence in rebuttal if the court is satisfied the additional evidence is material and there were reasonable grounds for not presenting the evidence in the proceeding before the Secretary.

(2) The Secretary may modify findings of fact or make new findings because of the additional evidence presented. The Secretary shall file a modified or new finding, a recommendation to modify or set aside a standard, and the additional evidence with the court.

(d) SUPREME COURT REVIEW AND ADDITIONAL REMEDIES.—A judgment of a court under this section may be reviewed only by the Supreme Court under section 1254 of title 28. A remedy under this section is in addition to any other remedies provided by law.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1043.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
32503(a)	15:1913(a) (1st sentence), (c).	Oct. 20, 1972, Pub. L. 92-513, §103, 86 Stat. 950.
32503(b)	15:1913(a) (2d, last sentences).	
32503(c)	15:1913(b).	
32503(d)	15:1913(d), (e).	

In subsection (a), the words “may apply for” are added for clarity. The text of 15:1913(c) is omitted because 5:ch. 7 applies unless otherwise stated.

In subsection (b), the words “or his delegate” and “thereupon” are omitted as surplus. The words “in which the standard was prescribed” are substituted for “on which the Secretary based his rule, as provided in section 2112 of title 28” to eliminate unnecessary words.

In subsection (c)(1), the words “On request of the petitioner” are substituted for “If the petitioner applies to the court for leave to adduce” to eliminate unnecessary words. The words “the Secretary to receive” are substituted for “to be taken before the Secretary, and to be adduced in a hearing” for clarity. The words “in such manner and upon such terms and conditions as the court may deem proper” are omitted as surplus.

In subsection (c)(2), the words “with the court” are substituted for “with the return of” for clarity.

In subsection (d), the words “affirming or setting aside, in whole or in part, any such rule of the Secretary” are omitted as surplus. The words “may be reviewed only” are substituted for “shall be final, subject to review” for clarity. The words “and not in lieu of” are omitted as surplus.

§ 32504. Certificates of compliance

Under regulations prescribed by the Secretary of Transportation, a manufacturer or distributor of a passenger motor vehicle or passenger motor vehicle equipment subject to a standard prescribed under section 32502 of this title shall give the distributor or dealer at the time of delivery a certificate that the vehicle or equipment complies with the standard.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1044.)