

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1079.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 33104(a) | 15:2023(a)(1)–(4). | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §603(a)(1)–(4), (b)–(d); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2757; Oct. 25, 1992, Pub. L. 102-519, §303(1)–(3), (5), 106 Stat. 3396. |
| | 15:2023(a)(5). | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §§602(g), 603(a)(5); added Oct. 25, 1992, Pub. L. 102-519, §§302(2), 303(4), 106 Stat. 3395, 3396. |
| 33104(b) | 15:2022(g). | |
| 33104(c) | 15:2023(b). | |
| 33104(d) | 15:2023(c). | |
| | 15:2023(d). | |

In subsection (a)(1)(A), the words “the 2-year period covering calendar years 1990 and 1991” are substituted for “the 2 calendar years immediately preceding the year in which the Anti Car Theft Act of 1992 is enacted” because that Act was enacted on October 25, 1992. The substitution also makes it clear that the 2-year period is to be treated as a single period.

In subsection (a)(1)(B), the words “after December 31, 1989,” are substituted for “after the beginning of the 2-year period specified in subparagraph (A)” for consistency with clause (A).

In subsection (a)(6), the word “passenger” is added because the source provisions in the revised chapter apply to passenger motor vehicles.

In subsection (b)(2)(B), the words “Administrator of the” are added for clarity and consistency because of section 1(b) of Reorganization Plan No. 3 of 1970 (eff. Dec. 2, 1970, 84 Stat. 2086). The words “model years 1983 and 1984” are substituted for “the 2 model years having the same model-year designations as the 2 calendar years specified in subsection (a)(1)(A) of this section” because the particular years are now known.

In subsection (b)(4), the words “Immediately upon enactment of this subchapter” are omitted as executed. The words “or sources” are omitted because of 1:1.

Editorial Notes

REFERENCES IN TEXT

Sections 602 and 603 of the Motor Vehicle Information and Cost Savings Act, referred to in subsec. (a)(6), are sections 602 and 603 of Pub. L. 92-513, which were classified to sections 2022 and 2023, respectively, of Title 15, Commerce and Trade, and were repealed and reenacted as sections 33102 to 33104 of this title by Pub. L. 103-272, §1(e), 7(b), July 5, 1994, 108 Stat. 1077, 1379.

§ 33105. Cost limitations

(a) **MAXIMUM MANUFACTURER COSTS.**—A standard under section 33102 or 33103 of this title may not impose—

(1) on a manufacturer of motor vehicles, compliance costs of more than \$15 a motor vehicle; or

(2) on a manufacturer of major replacement parts, compliance costs for each part of more than the reasonable amount (but less than \$15) that the Secretary of Transportation specifies in the standard.

(b) **COSTS INVOLVED IN ENGINES AND TRANSMISSIONS.**—For a manufacturer engaged in identifying engines or transmissions on October 25, 1984, in a way that substantially complies with the standard—

(1) the costs of identifying engines and transmissions may not be considered in calcu-

lating the manufacturer’s costs under subsection (a) of this section; and

(2) the manufacturer may not be required under the standard to conform to any identification system for engines and transmissions that imposes greater costs on the manufacturer than are incurred under the identification system used by the manufacturer on October 25, 1984.

(c) **COST ADJUSTMENTS.**—(1) In this subsection—

(A) “base period” means calendar year 1984.

(B) “price index” means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Secretary of Labor.

(2) At the beginning of each calendar year, as necessary data become available from the Bureau of Labor Statistics, the Secretary of Labor shall certify to the Secretary of Transportation and publish in the Federal Register the percentage difference between the price index for the 12 months before the beginning of the calendar year and the price index for the base period. For model years beginning in that calendar year, the amounts specified in subsection (a) of this section shall be adjusted by the percentage difference.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1081.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 33105 | 15:2024. | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §604; added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2758. |

In subsection (a)(1) and (2), the words “compliance costs” are substituted for “costs . . . to comply with such standard” to eliminate unnecessary words. In clause (2), the words “reasonable amount (but less than \$15)” are substituted for “reasonable lesser amount” for clarity.

In subsection (c)(2), the words “commencing on or after January 1, 1985” are omitted as obsolete.

§ 33106. Exemption for passenger motor vehicles equipped with anti-theft devices

(a) **DEFINITIONS.**—In this section—

(1) “anti-theft device” means a device to reduce or deter theft that—

(A) is in addition to the theft-deterrent devices required by motor vehicle safety standard numbered 114 in section 571.114 of title 49, Code of Federal Regulations;

(B) the manufacturer believes will be effective in reducing or deterring theft of motor vehicles; and

(C) does not use a signaling device reserved by State law for use on police, emergency, or official vehicles, or on schoolbuses.

(2) “standard equipment” means equipment already installed in a motor vehicle when it is delivered from the manufacturer and not an accessory or other item that the first purchaser customarily has the option to have installed.

(b) **GRANTING EXEMPTIONS AND LIMITATIONS.**—

(1) A manufacturer may petition the Secretary