

expenditures for planning and administration) shall be available for such crediting, without regard to whether such expenditures were actually made in connection with such program.

(Pub. L. 103-267, title II, §202, June 16, 1994, 108 Stat. 726.)

#### SHORT TITLE

Section 201 of title II of Pub. L. 103-267 provided that: "This title [enacting this chapter] may be cited as the 'Children's Bicycle Helmet Safety Act of 1994'."

### § 6002. Purposes for grants

A grant made under section 6001 of this title may be used by a grantee to—

- (1) enforce a law that requires individuals under the age of 16 to wear approved bicycle helmets on their heads while riding on bicycles;
- (2) provide assistance, to individuals under the age of 16 who may not be able to afford approved bicycle helmets, to enable such individuals to acquire such helmets;
- (3) develop and administer a program to educate individuals under the age of 16 and their families on the importance of wearing such helmets in order to improve bicycle safety; or
- (4) carry out any combination of the activities described in paragraphs (1), (2), and (3).

The Administrator shall review grant applications for compliance with this section prior to awarding grants.

(Pub. L. 103-267, title II, §203, June 16, 1994, 108 Stat. 727.)

### § 6003. Report to Congress

Not later than May 1, 1997, the Administrator of the National Highway Traffic Safety Administration shall report to Congress on the effectiveness of the grant program established by section 6001 of this title. The report shall include a list of grant recipients, a summary of the types of programs implemented by the grantees, and any recommendation by the Administrator regarding how the program should be changed in the future.

(Pub. L. 103-267, title II, §204, June 16, 1994, 108 Stat. 727.)

### § 6004. Standards

#### (a) In general

Bicycle helmets manufactured 9 months or more after June 16, 1994, shall conform to—

- (1) any interim standard described under subsection (b) of this section, pending the establishment of a final standard pursuant to subsection (c) of this section; and
- (2) the final standard, once it has been established under subsection (c) of this section.

#### (b) Interim standards

The interim standards are as follows:

- (1) The American National Standards Institute standard designated as "Z90.4-1984".
- (2) The Snell Memorial Foundation standard designated as "B-90".
- (3) The American Society for Testing and Materials (ASTM) standard designated as "F 1447".

(4) Any other standard that the Commission determines is appropriate.

#### (c) Final standard

Not later than 60 days after June 16, 1994, the Commission shall begin a proceeding under section 553 of title 5 to—

- (1) review the requirements of the interim standards set forth in subsection (a) of this section and establish a final standard based on such requirements;
- (2) include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;
- (3) include in the final standard provisions that address the risk of injury to children; and
- (4) include additional provisions as appropriate.

Sections 7, 9, and 30(d)<sup>1</sup> of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, 2079(d)) shall not apply to the proceeding under this subsection and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding. The final standard shall take effect 1 year from the date it is issued.

#### (d) Failure to meet standards

##### (1) Failure to meet interim standard

Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection (a)(1) of this section shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act [15 U.S.C. 2051 et seq.].

##### (2) Status of final standard

The final standard developed under subsection (c) of this section shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

(Pub. L. 103-267, title II, §205, June 16, 1994, 108 Stat. 727.)

#### REFERENCES IN TEXT

Section 30(d) of the Consumer Product Safety Act, referred to in subsec. (c), was classified to section 2079(d) of this title prior to repeal by Pub. L. 110-314, title II, §237, Aug. 14, 2008, 122 Stat. 3076.

The Consumer Product Safety Act, referred to in subsec. (d), is Pub. L. 92-573, Oct. 27, 1972, 86 Stat. 1207, as amended, which is classified generally to chapter 47 (§2051 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2051 of this title and Tables.

### § 6005. Authorization of appropriations

For the National Highway Traffic Safety Administration to carry out the grant program authorized by this chapter, there are authorized to be appropriated \$2,000,000 for fiscal year 1995, \$3,000,000 for fiscal year 1996, and \$4,000,000 for fiscal year 1997.

(Pub. L. 103-267, title II, §206, June 16, 1994, 108 Stat. 728.)

### § 6006. "Approved bicycle helmet" defined

In this chapter, the term "approved bicycle helmet" means a bicycle helmet that meets—

<sup>1</sup> See References in Text note below.