

this chapter” are substituted for “requirement imposed under this subchapter” for consistency. The words “civil action” are substituted for “any action” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (d)(2), the words “without regard to the amount in controversy” are omitted because jurisdiction is now allowed under 28:1331 without regard to the amount in controversy. The words “United States district court” are substituted for “district court of the United States” for consistency with the definition in section 32101 of the revised title and with other provisions of the chapter.

§ 32710. Civil actions by private persons

(a) VIOLATION AND AMOUNT OF DAMAGES.—A person that violates this chapter or a regulation prescribed or order issued under this chapter, with intent to defraud, is liable for 3 times the actual damages or \$1,500, whichever is greater.

(b) CIVIL ACTIONS.—A person may bring a civil action to enforce a claim under this section in an appropriate United States district court or in another court of competent jurisdiction. The action must be brought not later than 2 years after the claim accrues. The court shall award costs and a reasonable attorney’s fee to the person when a judgment is entered for that person.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1055.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32710(a)	15:1989(a)(1).	Oct. 20, 1972, Pub. L. 92–513, § 409, 86 Stat. 963.
32710(b)	15:1989(a)(2), (b).	

In subsection (a), the words “this chapter or a regulation prescribed or order issued under this chapter” are substituted for “requirement imposed under this subchapter” for consistency.

In subsection (b), the words “A person may bring a civil action to enforce a claim” are substituted for “An action to enforce any liability created . . . may be brought” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The word “appropriate” is added for clarity. The words “without regard to the amount in controversy” are omitted because jurisdiction is now allowed under 28:1331 without regard to the amount in controversy. The words “after the claim accrues” are substituted for “from the date on which the liability arises” to eliminate unnecessary words. The words “The court shall award . . . to the person when a judgment is entered for that person” are substituted for “in the case of any successful action to enforce the foregoing liability . . . as determined by the court” for clarity.

§ 32711. Relationship to State law

Except to the extent that State law is inconsistent with this chapter, this chapter does not—

- (1) affect a State law on disconnecting, altering, or tampering with an odometer with intent to defraud; or
- (2) exempt a person from complying with that law.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1056.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32711	15:1991.	Oct. 20, 1972, Pub. L. 92–513, § 418, 86 Stat. 963; July 14, 1976, Pub. L. 94–364, § 408(1), 90 Stat. 984.

In this section, before clause (1), the words “and then only to the extent of the inconsistency” are omitted as surplus. In clause (1), the word “affect” is substituted for “annul, alter, or affect” to eliminate unnecessary words. In clause (2), the words “subject to the provisions of this subchapter” are omitted as surplus.

CHAPTER 329—AUTOMOBILE FUEL ECONOMY

Sec.	
32901.	Definitions.
32902.	Average fuel economy standards.
32903.	Credits for exceeding average fuel economy standards.
32904.	Calculation of average fuel economy.
32905.	Manufacturing incentives for alternative fuel automobiles.
32906.	Maximum fuel economy increase for alternative fuel automobiles.
32907.	Reports and tests of manufacturers.
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32910.	Administrative.
32911.	Compliance.
32912.	Civil penalties.
32913.	Compromising and remitting civil penalties.
32914.	Collecting civil penalties.
32915.	Appealing civil penalties.
32916.	Reports to Congress.
32917.	Standards for executive agency automobiles.
32918.	Retrofit devices.
32919.	Preemption.

AMENDMENTS

1994—Pub. L. 103–429, §6(43)(C), Oct. 31, 1994, 108 Stat. 4383, added items 32918 and 32919 and struck out former item 32918 “Preemption”.

§ 32901. Definitions

- (a) GENERAL.—In this chapter—
 - (1) “alternative fuel” means—
 - (A) methanol;
 - (B) denatured ethanol;
 - (C) other alcohols;
 - (D) except as provided in subsection (b) of this section, a mixture containing at least 85 percent of methanol, denatured ethanol, and other alcohols by volume with gasoline or other fuels;
 - (E) natural gas;
 - (F) liquefied petroleum gas;
 - (G) hydrogen;
 - (H) coal derived liquid fuels;
 - (I) fuels (except alcohol) derived from biological materials;
 - (J) electricity (including electricity from solar energy); and
 - (K) any other fuel the Secretary of Transportation prescribes by regulation that is not substantially petroleum and that would yield substantial energy security and environmental benefits.
 - (2) “alternative fueled automobile” means an automobile that is a—
 - (A) dedicated automobile; or
 - (B) dual fueled automobile.