

- (1) a detailed description of the device;
- (2) the reasons for the manufacturer's conclusion that the device will be effective in reducing and deterring theft of motor vehicles; and
- (3) additional information the Secretary reasonably may require to make the decision described in subsection (b)(1) of this section.

(d) DECISIONS AND APPROVALS.—The Secretary shall make a decision about a petition filed under this section not later than 120 days after the date the petition is filed. A decision approving a petition must be based on substantial evidence. The Secretary may approve a petition in whole or in part. If the Secretary does not make a decision within the 120-day period, the petition shall be deemed to be approved and the manufacturer shall be exempt from the standard for the line covered by the petition for the subsequent model year.

(e) RESCISSIONS.—The Secretary may rescind an exemption if the Secretary decides that the anti-theft device has not been as effective in reducing and deterring motor vehicle theft as compliance with the standard. A rescission may be effective only—

- (1) for a model year after the model year in which the rescission occurs; and
- (2) at least 6 months after the manufacturer receives written notice of the rescission from the Secretary.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1082; Pub. L. 103-429, §6(45), Oct. 31, 1994, 108 Stat. 4383.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
33106(a)(1) ..	15:2025(e).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §605(a)(1), (3), (b)-(e); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2759.
33106(a)(2) ..	15:2025(a)(3).	
33106(b)	15:2025(a)(1), (2).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §605(a)(2); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2759; Oct. 25, 1992, Pub. L. 102-519, §304, 106 Stat. 3396.
33106(c)	15:2025(b).	
33106(d)	15:2025(c).	
33106(e)	15:2025(d).	

In subsection (b)(1), the words “the application of any of” are omitted as surplus. The words “or lines” are omitted because of 1:1.

In subsection (b)(2)(A), the words “for model year 1987” are substituted for “For the initial model year to which such standard applies” for clarity. See 50 Fed. Reg. 43166 (1985). In clause (D), the words “that the Attorney General decides” are substituted for “for which the Secretary may grant such an exemption (if any) shall be determined” for clarity and because of the restatement.

In subsection (d), the words “for the line covered by the petition” are added for clarity.

Subsection (e) is substituted for 15:2025(d) for clarity and to eliminate unnecessary words.

PUB. L. 103-429

This amends 49:33106(b)(3) to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 1082).

AMENDMENTS

1994—Subsec. (b)(3). Pub. L. 103-429 substituted “paragraph (2)(B) or (C) of this subsection” for “subparagraph (2)(B) or (C) of this paragraph”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

§ 33107. Voluntary vehicle identification standards

(a) ELECTION TO INSCRIBE OR AFFIX IDENTIFYING MARKS.—The Secretary of Transportation by regulation may prescribe a vehicle theft prevention standard under which a person may elect to inscribe or affix an identifying number or symbol on major parts of a motor vehicle manufactured or owned by the person for purposes of section 511 of title 18 and related provisions. The standard may include provisions for registration of the identification with the Secretary or a person designated by the Secretary.

(b) STANDARD REQUIREMENTS.—The standard under this section shall be practicable and provide relevant objective criteria.

(c) VOLUNTARY COMPLIANCE.—Compliance with the standard under this section is voluntary. Failure to comply does not subject a person to a penalty or enforcement under this chapter.

(d) COMPLIANCE WITH OTHER STANDARDS.—Compliance with the standard under this section does not relieve a manufacturer from a requirement of a standard prescribed under section 33102 or 33103 of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1083.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
33107	15:2033.	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §616; added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2765; Oct. 25, 1992, Pub. L. 102-519, §306(a), 106 Stat. 3397.

§ 33108. Monitoring compliance of manufacturers

(a) RECORDS, REPORTS, INFORMATION, AND INSPECTION.—To enable the Secretary of Transportation to decide whether a manufacturer of motor vehicles containing a part subject to a standard prescribed under section 33102 or 33103 of this title, or a manufacturer of major replacement parts subject to the standard, is complying with this chapter and the standard, the Secretary may require the manufacturer to—

- (1) keep records;
- (2) make reports;
- (3) provide items and information; and
- (4) allow an officer or employee designated by the Secretary to inspect the vehicles and parts and relevant records of the manufacturer.

(b) ENTRY AND INSPECTION.—To enforce this chapter, an officer or employee designated by the Secretary, on presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, may inspect a facility in