

under this section shall be available to the Secretary for the direct expenses of administering this chapter.

**(e) Limitations on payments**

(1) No amount paid for any technical services program under subsection (b) or (c) of this section shall exceed the amount of non-Federal funds expended to carry out such program: *Provided*, That the Secretary may pay an amount not to exceed \$25,000 a year for each of the first three fiscal years to each designated agency, other than a designated agency under section 1357 of this title, to assist in the preparation of the five-year plan and the initial annual technical services programs, without regard to any of the preceding requirements of this section.

(2) No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

(Pub. L. 89-182, §10, Sept. 14, 1965, 79 Stat. 682; Pub. L. 90-422, July 24, 1968, 82 Stat. 423.)

AMENDMENTS

1968—Subsec. (a). Pub. L. 90-422 authorized appropriation of \$6,600,000 for fiscal year ending June 30, 1969, \$10,000,000 for fiscal year ending June 30, 1970, and \$10,000,000 for fiscal year ending June 30, 1971.

**§ 1361. Reference services to assist designated agencies to obtain information outside State**

The Secretary is authorized and directed to aid designated agencies in carrying out their technical services programs by providing reference services which a designated agency may use to obtain scientific, technical, and engineering information from sources outside the State or States which it serves, for the purposes of this chapter.

(Pub. L. 89-182, §11, Sept. 14, 1965, 79 Stat. 683.)

**§ 1362. Rules and regulations**

The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this chapter.

(Pub. L. 89-182, §12, Sept. 14, 1965, 79 Stat. 683.)

**§ 1363. Prohibition against control over educational institutions; functions or responsibilities of other departments not affected**

**(a) Control of educational institutions**

Nothing contained in this chapter shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

**(b) Functions of other agencies**

Nothing contained in this chapter shall be deemed to affect the functions or responsibil-

ities under law of any other department or agency of the United States.

(Pub. L. 89-182, §13, Sept. 14, 1965, 79 Stat. 683.)

**§ 1364. Annual report by designated agencies to Secretary; reports by Secretary to President and Congress**

**(a) Agency reports**

Each designated agency shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this chapter during the preceding fiscal year, and of their disbursement.

**(b) Reports of Secretary of Commerce**

The Secretary shall make a complete report with respect to the administration of this chapter to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this chapter.

(Pub. L. 89-182, §14, Sept. 14, 1965, 79 Stat. 683.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report related to the "State Technical Services Act" required under "15 U.S.C. 7364", probably referring to the report related to the State Technical Services Act of 1965 required under subsec. (b) of this section, is listed on page 52), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

**§ 1365. Public committee; appointment; functions; report**

Within three years from September 14, 1965, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this chapter. The Committee shall evaluate the significance and impact of the program under this chapter and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of such three-year period.

(Pub. L. 89-182, §15, Sept. 14, 1965, 79 Stat. 684.)

**§ 1366. Termination of payments for noncompliance with law or diversion of funds**

Whenever the Secretary, after reasonable notice and opportunity for hearing to any designated agency or participating institution receiving funds under this chapter finds that—

(a) the agency or institution is not complying substantially with provisions of this chapter, with the regulations promulgated by the Secretary, or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this chapter have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this chapter until he is satisfied that there is substantial compliance or the diversion has been corrected or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

(Pub. L. 89-182, §16, Sept. 14, 1965, 79 Stat. 684.)

### § 1367. **Repayments**

Upon notice by the Secretary to any designated agency or participating institution that no further payments will be made pending substantial compliance, correction, or repayment under section 1366 of this title, any funds which may have been paid to such agency or institution under this chapter and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

(Pub. L. 89-182, §17, Sept. 14, 1965, 79 Stat. 684.)

### § 1368. **Records**

#### (a) **Grant recipients**

Each recipient of a grant under this chapter shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition of such grant, the total cost of the related approved program, the amount and nature of the cost of the program supplied by other sources, and such other records as will facilitate an effective audit.

#### (b) **Access to records of recipients**

The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to amounts received under this chapter.

(Pub. L. 89-182, §18, Sept. 14, 1965, 79 Stat. 684.)

## CHAPTER 38—TRAFFIC AND MOTOR VEHICLE SAFETY

### § 1381. **Repealed. Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379**

Section, Pub. L. 89-563, §1, Sept. 9, 1966, 80 Stat. 718, provided congressional declaration of purpose of this chapter. See section 30101 of Title 49, Transportation.

#### SHORT TITLE

Pub. L. 89-563, title I, §101, Sept. 9, 1966, 80 Stat. 718, provided that Pub. L. 89-563 could be cited as the "National Traffic and Motor Vehicle Safety Act of 1966", prior to repeal by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379.

### SUBCHAPTER I—MOTOR VEHICLE SAFETY STANDARDS

#### PART A—GENERAL PROVISIONS

### §§ 1391, 1392. **Repealed. Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379**

Section 1391, Pub. L. 89-563, title I, §102, Sept. 9, 1966, 80 Stat. 718; Pub. L. 91-265, §2, May 22, 1970, 84 Stat. 262;

Pub. L. 93-492, title I, §110(a), title II, §201, Oct. 27, 1974, 88 Stat. 1484, provided definitions for purposes of this subchapter. See sections 30102, 30111, and 30125 of Title 49, Transportation.

Section 1392, Pub. L. 89-563, title I, §103, Sept. 9, 1966, 80 Stat. 719; Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931; Pub. L. 93-492, title II, §202, Oct. 27, 1974, 88 Stat. 1484; Pub. L. 94-346, §§2, 3, July 8, 1976, 90 Stat. 815; Pub. L. 97-331, §3, Oct. 15, 1982, 96 Stat. 1619; Pub. L. 102-240, title II, §2505, Dec. 18, 1991, 105 Stat. 2084, related to motor vehicle safety standards. See sections 30103, 30111, and 30125 of Title 49.

### § 1393. **Repealed. Pub. L. 93-492, title I, §107(b), Oct. 27, 1974, 88 Stat. 1482**

Section, Pub. L. 89-563, title I, §104, Sept. 9, 1966, 80 Stat. 720; Pub. L. 93-492, title I, §107(a), Oct. 27, 1974, 88 Stat. 1481, provided for National Motor Vehicle Safety Advisory Council; subsec. (a) relating to establishment and membership of Council, representative of the general public, publication of names of members, and selection of Chairman; subsec. (b) relating to consultations with Secretary of Transportation; and subsec. (c) relating to compensation and travel expenses of members.

#### EFFECTIVE DATE OF REPEAL

Section 107(b) of Pub. L. 93-492 provided that the repeal of this section is effective Oct. 1, 1977, prior to repeal by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379.

### §§ 1394 to 1410b. **Repealed. Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379**

Section 1394, Pub. L. 89-563, title I, §105, Sept. 9, 1966, 80 Stat. 720, related to judicial review of orders establishing standards, presentation of additional evidence before Secretary, and certified copy of transcript of record. See sections 30103 and 30161 of Title 49, Transportation.

Section 1395, Pub. L. 89-563, title I, §106, Sept. 9, 1966, 80 Stat. 721, related to research, testing, development, and training in traffic and vehicle safety.

Section 1396, Pub. L. 89-563, title I, §107, Sept. 9, 1966, 80 Stat. 721, related to cooperation of Secretary with governmental and private agencies in developing motor vehicle safety standards and methods for determining compliance with such standards. See sections 30111 and 30166 of Title 49.

Section 1397, Pub. L. 89-563, title I, §108, Sept. 9, 1966, 80 Stat. 722; Pub. L. 93-492, title I, §103(a), title II, §203, Oct. 27, 1974, 88 Stat. 1477, 1485; Pub. L. 100-562, §2(a)-(d), Oct. 31, 1988, 102 Stat. 2818, 2824, prohibited manufacture, sale, delivery, or importation of substandard vehicles and rendering inoperative certain devices, elements of design, or motor vehicle equipment. See sections 30103, 30112, 30114, 30115, 30117 to 30122, 30125, 30126, 30141 to 30147, 30166, and 30167 of Title 49.

Section 1398, Pub. L. 89-563, title I, §109, Sept. 9, 1966, 80 Stat. 723; Pub. L. 93-492, title I, §103(b), Oct. 27, 1974, 88 Stat. 1478, related to civil penalties for violations of former section 1397 of this title and Secretary's authority to compromise such penalties. See section 30165 of Title 49.

Section 1399, Pub. L. 89-563, title I, §110, Sept. 9, 1966, 80 Stat. 723; Pub. L. 93-492, title I, §§102(b)(2), 103(c), Oct. 27, 1974, 88 Stat. 1477, 1478, related to jurisdiction of United States district courts for injunctive relief for violations of this subchapter, criminal contempt proceedings, venue, subpoenas, and designation of agent for service of process. See sections 30163 to 30165 of Title 49.

Section 1400, Pub. L. 89-563, title I, §111, Sept. 9, 1966, 80 Stat. 724, required manufacturer or distributor to repurchase or repair motor vehicle or motor vehicle equipment not in compliance with safety standards and provided for civil action against manufacturer or distributor refusing to repurchase or repair. See section 30116 of Title 49.