

(1) in issuing an initial weapons license to an armored car crew member described in subsection (a) of this section, the agency determines to its satisfaction that—

(A) the crew member has received classroom and range training in weapons safety and marksmanship during the current year from a qualified instructor for each weapon that the crew member will be licensed to carry; and

(B) the receipt or possession of a weapon by the crew member would not violate Federal law, determined on the basis of a criminal record background check conducted during the current year;

(2) in issuing a renewal of a weapons license to an armored car crew member described in subsection (a) of this section, the agency determines to its satisfaction that—

(A) the crew member has received continuing training in weapons safety and marksmanship from a qualified instructor for each weapon that the crew member is licensed to carry; and

(B) the receipt or possession of a weapon by the crew member would not violate Federal law, as determined by the agency; and

(3) in issuing a weapons license under paragraph (1) or paragraph (2), as the case may be—

(A) the agency issues such license for a period not to exceed 2 years; or

(B) the agency issues such license for a period not to exceed 5 years in the case of a State that enacted a State law before October 1, 1996, that provides for the issuance of an initial weapons license or a renewal of a weapons license, as the case may be, for a period not to exceed 5 years.

(Pub. L. 103-55, §3, July 28, 1993, 107 Stat. 276; Pub. L. 105-287, §2, Oct. 27, 1998, 112 Stat. 2776.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-287, §2(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “If an armored car crew member employed by an armored car company has in effect a license issued by the appropriate State agency (in the State in which such member is primarily employed by such company) to carry a weapon while acting in the services of such company in that State, and such State agency meets the minimum State requirements under subsection (b) of this section, then such crew member shall be entitled to lawfully carry any weapon to which such license relates in any State while such crew member is acting in the service of such company.”

Subsec. (b). Pub. L. 105-287, §2(b), amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “A State agency meets the minimum State requirements of this subsection if in issuing a weapons license to an armored car crew member described in subsection (a) of this section, the agency requires the crew member to provide information on an annual basis to the satisfaction of the agency that—

“(1) the crew member has received classroom and range training in weapons safety and marksmanship during the current year by a qualified instructor for each weapon that the crew member is licensed to carry; and

“(2) the receipt or possession of a weapon by the crew member would not violate Federal law, determined on the basis of a criminal record background check conducted during the current year.”

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-287, §3, Oct. 27, 1998, 112 Stat. 2777, provided that: “The amendments made by section 2 [amending this section] shall take effect 30 days after the date of the enactment of this Act [Oct. 27, 1998].”

§ 5903. Relation to other laws

This chapter shall supersede any provision of State law (or the law of any political subdivision of a State) that is inconsistent with this chapter.

(Pub. L. 103-55, §4, July 28, 1993, 107 Stat. 277.)

§ 5904. Definitions

As used in this chapter:

(1) The term “armored car crew member” means an individual who provides protection for goods transported by an armored car company.

(2) The term “armored car company” means a company—

(A) subject to regulation under subchapter I of chapter 135 of title 49; and

(B) is¹ registered under chapter 139 of such title, in order to engage in the business of transporting and protecting currency, bullion, securities, precious metals, supplemental nutrition assistance program benefits, and other articles of unusual value in interstate commerce.

(3) The term “State” means any State of the United States or the District of Columbia.

(Pub. L. 103-55, §5, July 28, 1993, 107 Stat. 277; Pub. L. 104-88, title III, §336, Dec. 29, 1995, 109 Stat. 954; Pub. L. 110-234, title IV, §4002(b)(1)(E), (2)(L), May 22, 2008, 122 Stat. 1096, 1097; Pub. L. 110-246, §4(a), title IV, §4002(b)(1)(E), (2)(L), June 18, 2008, 122 Stat. 1664, 1857, 1858.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Par. (2)(B). Pub. L. 110-246, §4002(b)(1)(E), (2)(L), substituted “supplemental nutrition assistance program benefits” for “food stamps”.

1995—Par. (2). Pub. L. 104-88 substituted “subchapter I of chapter 135” for “subchapter II of chapter 105” in subpar. (A) and “is registered under chapter 139” for “holding the appropriate certificate, permit, or license issued under subchapter II of chapter 109” in subpar. (B).

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

Amendment by section 4002(b)(1)(E), (2)(L) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of Title 49, Transportation.

¹ So in original. The word “is” probably should not appear.

CHAPTER 86—CHILDREN'S BICYCLE HELMET SAFETY

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§ 6001. Establishment of program

(a) In general

The Administrator of the National Highway Traffic Safety Administration may, in accordance with section 6002 of this title, make grants to States, political subdivisions of States, and nonprofit organizations for programs that require or encourage individuals under the age of 16 to wear approved bicycle helmets. In making those grants, the Administrator shall allow grantees to use wide discretion in designing programs that effectively promote increased bicycle helmet use.

(b) Federal share

The amount provided by a grant under this section shall not exceed 80 percent of the cost of the program for which the grant is made. In crediting the recipient State, political subdivision, or nonprofit organization for the non-Federal share of the cost of such a program (other than planning and administration), the aggregate of all expenditures made by such State, political subdivision, or nonprofit organization (exclusive of Federal funds) for the purposes described in section 6002 of this title (other than 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

Pub. L. 103-267, title II, §201, June 16, 1994, 108 Stat. 726, 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)¹ 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 vio-

¹ See References in Text note below.