

made to the Commission under section 37 of the Consumer Product Safety Act [15 U.S.C. 2084] have assisted the Commission in carrying out its responsibilities under such Act [15 U.S.C. 2051 et seq.]. The report—

“(A) shall provide aggregate data and not the details and contents of individual reports filed with the Commission pursuant to such section 37,

“(B) shall not disclose the brand names of products included in reports under such section 15(b) or 37 [15 U.S.C. 2064(b), 2084] or the number of reports under such sections for particular models or classes of products, and

“(C) shall include—

“(i) a comparison of the number of reports received under such section 37 and the number of reports received under section 15(b) of such Act,

“(ii) a comparison of the number of reports filed with the Commission before the date of the enactment of this Act [Nov. 16, 1990] and after such date, and

“(iii) the total number of settlements and court judgments reported under such section 37 and the total number of rulemakings and enforcement actions undertaken in response to such reports,

“(iv) recommendations of the Commission for additional improvements in reporting under the Consumer Product Safety Act.

“(2) The first report under paragraph (1) shall be due February 1, 1992, and the second such report shall be due April 1, 1993.”

§ 2085. Low-speed electric bicycles

(a) Construction

Notwithstanding any other provision of law, low-speed electric bicycles are consumer products within the meaning of section 2052(a)(1)¹ of this title and shall be subject to the Commission regulations published at section 1500.18(a)(12) and part 1512 of title 16, Code of Federal Regulations.

(b) Definition

For the purpose of this section, the term “low-speed electric bicycle” means a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph.

(c) Promulgation of requirements

To further protect the safety of consumers who ride low-speed electric bicycles, the Commission may promulgate new or amended requirements applicable to such vehicles as necessary and appropriate.

(d) Preemption

This section shall supersede any State law or requirement with respect to low-speed electric bicycles to the extent that such State law or requirement is more stringent than the Federal law or requirements referred to in subsection (a).

(Pub. L. 92–573, § 38, as added Pub. L. 107–319, § 1, Dec. 4, 2002, 116 Stat. 2776.)

REFERENCES IN TEXT

Section 2052(a)(1) of this title, referred to in subsection (a), was redesignated section 2052(a)(5) of this title by Pub. L. 110–314, title II, § 235(b)(4), Aug. 14, 2008, 122 Stat. 3074.

¹ See References in Text note below.

§ 2086. Prohibition on industry-sponsored travel

Notwithstanding section 1353 of title 31 and section 2076(b)(6) of this title, no Commissioner or employee of the Commission shall accept travel, subsistence, or related expenses with respect to attendance by a Commissioner or employee at any meeting or similar function relating to official duties of a Commissioner or an employee, from a person—

(1) seeking official action from, doing business with, or conducting activities regulated by, the Commission; or

(2) whose interests may be substantially affected by the performance or nonperformance of the Commissioner’s or employee’s official duties.

(Pub. L. 92–573, § 39, as added Pub. L. 110–314, title II, § 206(a), Aug. 14, 2008, 122 Stat. 3044.)

§ 2087. Whistleblower protection

(a) No manufacturer, private labeler, distributor, or retailer,¹ may discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee, whether at the employee’s initiative or in the ordinary course of the employee’s duties (or any person acting pursuant to a request of the employee)—

(1) provided, caused to be provided, or is about to provide or cause to be provided to the employer, the Federal Government, or the attorney general of a State information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of any provision of this chapter or any other Act enforced by the Commission, or any order, rule, regulation, standard, or ban under any such Acts;

(2) testified or is about to testify in a proceeding concerning such violation;

(3) assisted or participated or is about to assist or participate in such a proceeding; or

(4) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this chapter or any other Act enforced by the Commission, or any order, rule, regulation, standard, or ban under any such Acts.

(b)(1) A person who believes that he or she has been discharged or otherwise discriminated against by any person in violation of subsection (a) may, not later than 180 days after the date on which such violation occurs, file (or have any person file on his or her behalf) a complaint with the Secretary of Labor alleging such discharge or discrimination and identifying the person responsible for such act. Upon receipt of such a complaint, the Secretary shall notify, in writing, the person named in the complaint of the filing of the complaint, of the allegations contained in the complaint, of the substance of evidence supporting the complaint, and of the opportunities that will be afforded to such person under paragraph (2).

¹ So in original. The comma probably should not appear.