

(3) contains information describing the nature and meaning of the crash test data presented and a reference to additional vehicle safety resources, including <http://www.safecar.gov>;¹ and

(4) is presented in a legible, visible, and prominent fashion and covers at least—

(A) 8 percent of the total area of the label; or

(B) an area with a minimum length of 4½ inches and a minimum height of 3½ inches; and

(h) if an automobile has not been tested by the National Highway Traffic Safety Administration under the New Car Assessment Program, or safety ratings for such automobile have not been assigned in one or more rating categories, a statement to that effect.

(Pub. L. 85-506, § 3, July 7, 1958, 72 Stat. 326; Pub. L. 109-59, title X, §10307(a), Aug. 10, 2005, 119 Stat. 1941; Pub. L. 112-141, div. C, title I, §31314, July 6, 2012, 126 Stat. 772.)

AMENDMENTS

2012—Subsec. (g)(2). Pub. L. 112-141 inserted “safety rating categories that may include” after “refers to”.

2005—Subsec. (f)(3). Pub. L. 109-59, §10307(a)(2), inserted “and” at end.

Subsecs. (g), (h). Pub. L. 109-59, §10307(a)(1), (3), (4), added subsecs. (g) and (h).

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

EFFECTIVE DATE

Section effective on the later of Oct. 1, 1958, or the first day of the introduction of any new model of automobile in any line of automobile beginning after July 7, 1958, see section 5 of Pub. L. 85-506, set out as a note under section 1231 of this title.

REGULATIONS

Pub. L. 109-59, title X, §10307(b), Aug. 10, 2005, 119 Stat. 1942, provided that: “The Secretary of Transportation shall issue regulations to ensure that the labeling requirements under subsections (g) and (h) of section 3 of the Automobile Information Disclosure Act [15 U.S.C. 1232(g), (h)], as added by subsection (a), are implemented by September 1, 2007.”

§ 1232a. Repealed. Pub. L. 92-178, title IV, § 401(g)(7)(A), Dec. 10, 1971, 85 Stat. 534

Section, Pub. L. 91-614, title III, §304, Dec. 31, 1970, 84 Stat. 1845, related to Federal manufacturers excise tax on labels and provided for violations and penalties. It was not a part of the Automobile Information Disclosure Act, which comprises this chapter generally.

EFFECTIVE DATE OF REPEAL

Pub. L. 92-178, title IV, §401(g)(7)(B), Dec. 10, 1971, 85 Stat. 534, provided that: “Subparagraph (A) [repealing this section] shall apply to acts (or failures to act) after the date of the enactment of this Act [Dec. 10, 1971].”

§ 1233. Violations and penalties

(a) Failure to affix required label

Any manufacturer of automobiles distributed in commerce who willfully fails to affix to any

new automobile manufactured or imported by him the label required by section 1232 of this title shall be fined not more than \$1,000. Such failure with respect to each automobile shall constitute a separate offense.

(b) Failure to endorse required label

Any manufacturer of automobiles distributed in commerce who willfully fails to endorse clearly, distinctly and legibly any label as required by section 1232 of this title, or who makes a false endorsement of any such label, shall be fined not more than \$1,000. Such failure or false endorsement with respect to each automobile shall constitute a separate offense.

(c) Removal, alteration, or illegibility of required label

Any person who willfully removes, alters, or renders illegible any label affixed to a new automobile pursuant to section 1232 of this title, or any endorsement thereon, prior to the time that such automobile is delivered to the actual custody and possession of the ultimate purchaser of such new automobile, except where the manufacturer relabels the automobile in the event the same is rerouted, repurchased, or reacquired by the manufacturer of such automobile, shall be fined not more than \$1,000, or imprisoned not more than one year, or both. Such removal, alteration, or rendering illegible with respect to each automobile shall constitute a separate offense.

(Pub. L. 85-506, § 4, July 7, 1958, 72 Stat. 326.)

EFFECTIVE DATE

Section effective on the later of Oct. 1, 1958, or the first day of the introduction of any new model of automobile in any line of automobile beginning after July 7, 1958, see section 5 of Pub. L. 85-506, set out as a note under section 1231 of this title.

CHAPTER 29—MANUFACTURE, TRANSPORTATION, OR DISTRIBUTION OF SWITCHBLADE KNIVES

Sec. 1241.	Definitions.
1242.	Introduction, manufacture for introduction, transportation or distribution in interstate commerce; penalty.
1243.	Manufacture, sale, or possession within specific jurisdictions; penalty.
1244.	Exceptions.
1245.	Ballistic knives.

§ 1241. Definitions

As used in this chapter—

(a) The term “interstate commerce” means commerce between any State, Territory, possession of the United States, or the District of Columbia, and any place outside thereof.

(b) The term “switchblade knife” means any knife having a blade which opens automatically—

- (1) by hand pressure applied to a button or other device in the handle of the knife, or
- (2) by operation of inertia, gravity, or both.

(Pub. L. 85-623, § 1, Aug. 12, 1958, 72 Stat. 562.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 85-623, which enacted sec-

¹ So in original. Probably should be “<http://www.safecar.gov>.”

tions 1241 to 1244 of this title and amended section 1716 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE

Pub. L. 85-623, § 6, Aug. 12, 1958, 72 Stat. 563, provided that: "This Act [enacting this chapter and amending section 1716 of Title 18, Crimes and Criminal Procedure] shall take effect on the sixtieth day after the date of its enactment [Aug. 12, 1958]."

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-570, title X, §10001, Oct. 27, 1986, 100 Stat. 3207-166, provided that: "This title [enacting section 1245 of this title, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1245 of this title] may be cited as the 'Ballistic Knife Prohibition Act of 1986'."

SHORT TITLE

Pub. L. 85-623, Aug. 12, 1958, 72 Stat. 562, which enacted this chapter, is popularly known as the "Federal Switchblade Act".

§ 1242. Introduction, manufacture for introduction, transportation or distribution in interstate commerce; penalty

Whoever knowingly introduces, or manufactures for introduction, into interstate commerce, or transports or distributes in interstate commerce, any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, § 2, Aug. 12, 1958, 72 Stat. 562.)

EFFECTIVE DATE

Section effective on the sixtieth day after Aug. 12, 1958, see section 6 of Pub. L. 85-623, set out as a note under section 1241 of this title.

§ 1243. Manufacture, sale, or possession within specific jurisdictions; penalty

Whoever, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), manufactures, sells, or possesses any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, § 3, Aug. 12, 1958, 72 Stat. 562.)

EFFECTIVE DATE

Section effective on the sixtieth day after Aug. 12, 1958, see section 6 of Pub. L. 85-623, set out as a note under section 1241 of this title.

§ 1244. Exceptions

Sections 1242 and 1243 of this title shall not apply to—

- (1) any common carrier or contract carrier, with respect to any switchblade knife shipped, transported, or delivered for shipment in interstate commerce in the ordinary course of business;
- (2) the manufacture, sale, transportation, distribution, possession, or introduction into interstate commerce, of switchblade knives pursuant to contract with the Armed Forces;
- (3) the Armed Forces or any member or employee thereof acting in the performance of his duty;

(4) the possession, and transportation upon his person, of any switchblade knife with a blade three inches or less in length by any individual who has only one arm; or

(5) a knife that contains a spring, detent, or other mechanism designed to create a bias toward closure of the blade and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure to assist in opening the knife.

(Pub. L. 85-623, § 4, Aug. 12, 1958, 72 Stat. 562; Pub. L. 111-83, title V, § 562, Oct. 28, 2009, 123 Stat. 2183.)

AMENDMENTS

2009—Par. (5). Pub. L. 111-83 added par. (5).

EFFECTIVE DATE

Section effective on the sixtieth day after Aug. 12, 1958, see section 6 of Pub. L. 85-623, set out as a note under section 1241 of this title.

§ 1245. Ballistic knives

(a) Prohibition and penalties for possession, manufacture, sale, or importation

Whoever in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports a ballistic knife shall be fined as provided in title 18, or imprisoned not more than ten years, or both.

(b) Prohibition and penalties for possession or use during commission of Federal crime of violence

Whoever possesses or uses a ballistic knife in the commission of a Federal crime of violence shall be fined as provided in title 18, or imprisoned not less than five years and not more than ten years, or both.

(c) Exceptions

The exceptions provided in paragraphs (1), (2), and (3) of section 1244 of this title with respect to switchblade knives shall apply to ballistic knives under subsection (a) of this section.

(d) "Ballistic knife" defined

As used in this section, the term "ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism.

(Pub. L. 85-623, § 7, as added Pub. L. 99-570, title X, §10002, Oct. 27, 1986, 100 Stat. 3207-167; amended Pub. L. 100-690, title VI, § 6472, Nov. 18, 1988, 102 Stat. 4379.)

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-690, § 6472(1), substituted "in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports" for "knowingly possesses, manufactures, sells, or imports".

Subsec. (b). Pub. L. 100-690, § 6472(2), struck out "or State" after "Federal".