

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30112(a) .....	15:1397(a)(1)(A).	Sept. 9, 1966, Pub. L. 89-563, §108(a)(1)(A), 80 Stat. 722; Oct. 27, 1974, Pub. L. 93-492, §103(a)(1), 88 Stat. 1477; Oct. 31, 1988, Pub. L. 100-562, §2(c), (d), 102 Stat. 2824.
	15:1397(c)(1).	Sept. 9, 1966, Pub. L. 89-563, 80 Stat. 718, §108(c)(1), (i); added Oct. 31, 1988, Pub. L. 100-562, §2(b), 102 Stat. 2818, 2823.
30112(b) (1)-(3).	15:1397(a)(2)(D), (b)(1) (1st sentence), (2).	Sept. 9, 1966, Pub. L. 89-563, §108(a)(2)(D), (b)(1) (1st sentence), (2), 80 Stat. 722; Oct. 27, 1974, Pub. L. 93-492, §103(a)(1), 88 Stat. 1477, 1478.
	15:1397(b)(3).	Sept. 9, 1966, Pub. L. 89-563, §108(b)(3), 80 Stat. 723; Oct. 27, 1974, Pub. L. 93-492, §103(a)(1)(B), 88 Stat. 1478; Oct. 31, 1988, Pub. L. 100-562, §2(a), 102 Stat. 2818.
30112(b) (4)-(8).	(no source).	
30112(b)(9) ..	15:1397(i).	

In subsection (a), the words “Except as provided in this section . . . and subchapter III of this chapter” are substituted for 15:1397(c)(1) to eliminate unnecessary words and because of the restatement. The reference to section 30113 is added for clarity.

In subsection (b), before clause (1), the text of 15:1397(a)(2)(D) is omitted as obsolete because under section 30124 of the revised title a standard prescribed under this chapter may not allow compliance by use of a safety belt interlock or a continuous buzzer. In clause (2)(A), the words “despite exercising reasonable care” are substituted for “in the exercise of due care” for clarity and consistency in the revised title. The words “motor vehicle safety standards prescribed under this chapter” are substituted for “Federal motor vehicle safety standards” for clarity and consistency in this chapter. In clause (2)(B), the words “without knowing about the noncompliance” are substituted for “unless such person knows that such vehicle or equipment does not so conform” to eliminate unnecessary words and for consistency in the revised title. Clauses (4)–(8) are added to provide cross-references to sections restating exceptions to the general rule restated in subsection (a) of this section.

REFERENCES IN TEXT

The date of enactment of this paragraph, referred to in subsec. (a)(2), is the date of enactment of Pub. L. 109-59, which was approved Aug. 10, 2005.

The date of enactment of this paragraph, referred to in subsec. (b)(10), is the date of enactment of Pub. L. 114-94, which was approved Dec. 4, 2015.

AMENDMENTS

- 2015—Subsec. (b)(10). Pub. L. 114-94 added par. (10).
- 2012—Subsec. (a)(3). Pub. L. 112-141, §31207(1), added par. (3).
- Subsec. (b)(2)(C). Pub. L. 112-141, §31207(2), added subpar. (C).
- 2005—Subsec. (a). Pub. L. 109-59, which directed amendment of section 30112(a), without specifying the title to be amended, by designating existing provisions as par. (1) and adding par. (2), was executed to this section, to reflect the probable intent of Congress.

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.

§ 30113. General exemptions

(a) DEFINITION.—In this section, “low-emission motor vehicle” means a motor vehicle meeting

the standards for new motor vehicles applicable to the vehicle under section 202 of the Clean Air Act (42 U.S.C. 7521) when the vehicle is manufactured and emitting an air pollutant in an amount significantly below one of those standards.

(b) AUTHORITY TO EXEMPT AND PROCEDURES.—

(1) The Secretary of Transportation may exempt, on a temporary basis, motor vehicles from a motor vehicle safety standard prescribed under this chapter or passenger motor vehicles from a bumper standard prescribed under chapter 325 of this title, on terms the Secretary considers appropriate. An exemption may be renewed. A renewal may be granted only on reapplication and must conform to the requirements of this subsection.

(2) The Secretary may begin a proceeding under this subsection when a manufacturer applies for an exemption or a renewal of an exemption. The Secretary shall publish notice of the application and provide an opportunity to comment. An application for an exemption or for a renewal of an exemption shall be filed at a time and in the way, and contain information, this section and the Secretary require.

(3) The Secretary may act under this subsection on finding that—

(A) an exemption is consistent with the public interest and this chapter or chapter 325 of this title (as applicable); and

(B)(i) compliance with the standard would cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith;

(ii) the exemption would make easier the development or field evaluation of a new motor vehicle safety feature providing a safety level at least equal to the safety level of the standard;

(iii) the exemption would make the development or field evaluation of a low-emission motor vehicle easier and would not unreasonably lower the safety level of that vehicle; or

(iv) compliance with the standard would prevent the manufacturer from selling a motor vehicle with an overall safety level at least equal to the overall safety level of nonexempt vehicles.

(c) CONTENTS OF APPLICATIONS.—A manufacturer applying for an exemption under subsection (b) of this section shall include the following information in the application:

(1) if the application is made under subsection (b)(3)(B)(i) of this section, a complete financial statement describing the economic hardship and a complete description of the manufacturer’s good faith effort to comply with each motor vehicle safety standard prescribed under this chapter, or a bumper standard prescribed under chapter 325 of this title, from which the manufacturer is requesting an exemption.

(2) if the application is made under subsection (b)(3)(B)(ii) of this section, a record of the research, development, and testing establishing the innovative nature of the safety feature and a detailed analysis establishing that the safety level of the feature at least equals the safety level of the standard.

(3) if the application is made under subsection (b)(3)(B)(iii) of this section, a record of

the research, development, and testing establishing that the motor vehicle is a low-emission motor vehicle and that the safety level of the vehicle is not lowered unreasonably by exemption from the standard.

(4) if the application is made under subsection (b)(3)(B)(iv) of this section, a detailed analysis showing how the vehicle provides an overall safety level at least equal to the overall safety level of nonexempt vehicles.

(d) **ELIGIBILITY.**—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(i) of this section (including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1)) only if the Secretary determines that the manufacturer’s total motor vehicle production in the most recent year of production is not more than 10,000. A manufacturer is eligible for an exemption under subsection (b)(3)(B)(ii), (iii), or (iv) of this section only if the Secretary determines the exemption is for not more than 2,500 vehicles to be sold in the United States in any 12-month period.

(e) **MAXIMUM PERIOD.**—An exemption or renewal under subsection (b)(3)(B)(i) of this section may be granted for not more than 3 years. An exemption or renewal under subsection (b)(3)(B)(ii), (iii), or (iv) of this section may be granted for not more than 2 years.

(f) **DISCLOSURE.**—The Secretary may make public, by the 10th day after an application is filed, information contained in the application or relevant to the application unless the information concerns or is related to a trade secret or other confidential information not relevant to the application.

(g) **NOTICE OF DECISION.**—The Secretary shall publish in the Federal Register a notice of each decision granting an exemption under this section and the reasons for granting it.

(h) **PERMANENT LABEL REQUIREMENT.**—The Secretary shall require a permanent label to be fixed to a motor vehicle granted an exemption under this section. The label shall either name or describe each motor vehicle safety standard prescribed under this chapter or bumper standard prescribed under chapter 325 of this title from which the vehicle is exempt. The Secretary may require that written notice of an exemption be delivered by appropriate means to the dealer and the first purchaser of the vehicle other than for resale.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 945; Pub. L. 105–277, div. A, §101(g) [title III, §351(a)], Oct. 21, 1998, 112 Stat. 2681–439, 2681–475.)

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30113(f) .....	15:1410(f).	
30113(g) .....	15:1410(a) (last sentence).	
30113(h) .....	15:1410(b).	

In subsection (a), the words “the term” and “type of” are omitted as surplus. The words “when the vehicle is manufactured” are substituted for “at the time of manufacture” for consistency.

In subsection (b)(1), the words “Except as provided in subsection (d) of this section” are omitted as surplus. The words “to such extent” are omitted as being included in “on terms the Secretary considers appropriate”.

In subsection (b)(2), the words “The Secretary may begin a proceeding under this subsection . . . for an exemption or a renewal of an exemption” are added because of the restatement. The words “of the application” are added for clarity. The words “An application for an exemption or for a renewal of an exemption shall be filed” are added because of the restatement.

In subsection (b)(3)(A), the words “such temporary” and “the objectives of” are omitted as surplus.

In subsection (b)(3)(B)(i), the words “to a manufacturer that” are substituted for “such manufacturer . . . and that the manufacturer” to eliminate unnecessary words. The words “from which it requests to be exempted” are omitted as surplus.

In subsection (b)(3)(B)(ii), the words “from which an exemption is sought” are omitted as surplus.

In subsection (b)(3)(B)(iii), the words “lower the safety level” are substituted for “degrade the safety” for clarity.

In subsection (b)(3)(B)(iv), the word “requiring” is omitted as surplus.

In subsection (c), before clause (1), the words “the following information” are added for clarity. In clause (1), the word “describing” is substituted for “the basis of showing” to eliminate unnecessary words. The words “each motor vehicle safety standard prescribed under this chapter from which the manufacturer is requesting an exemption” are substituted for “the standards” for clarity. In clauses (2) and (3), the words “a record” are substituted for “documentation” for consistency in the revised title. In clause (2), the words “establishing that the safety level of the feature at least equals the safety level of the standard” are substituted for “establishing that the level of safety of the new safety feature is equivalent to or exceeds the level of safety established in the standard from which the exemption is sought” because of the restatement. In clause (3), the word “level” is added, and the words “lowered . . . by exemption from the standard” are substituted for “degraded”, for consistency in this section. In clause (4), the words “at least equal to” are substituted for “equivalent to or exceeding” for consistency.

In subsection (f), the text of 15:1410(f) (1st sentence) is omitted as executed. The words “under this section all” and “other information” are omitted as surplus. The words “to the application” are substituted for “thereto” for clarity. The words “business” and “for exemption” are omitted as surplus.

In subsection (g), the words “The Secretary” are added for clarity. The word “temporary” is omitted as surplus. The words “under this section” are added for clarity.

In subsection (h), the words “a . . . label to be fixed to a motor vehicle granted an exemption under this section” are substituted for “labeling of each exempted motor vehicle . . . and be affixed to such exempted vehicles” for clarity. The words “of such exempted motor vehicle in such manner as he deems” are omitted as surplus. The words “motor vehicle safety standard prescribed under this chapter” are substituted for “the standards” for clarity and consistency in this chapter.

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30113(a) .....	15:1410(g).	Sept. 9, 1966, Pub. L. 89–563, 80 Stat. 718, §123; added Apr. 10, 1968, Pub. L. 90–283, 82 Stat. 72; restated Oct. 25, 1972, Pub. L. 92–548, §3, 86 Stat. 1159.
30113(b) .....	15:1410(a) (1st sentence), (c)(1) (23d–last words), (2) (23d–last words).	
30113(c) .....	15:1410(e).	
30113(d) .....	15:1410(d).	
30113(e) .....	15:1410(c)(1) (1st–22d words), (2) (1st–22d words).	

## AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105-277, §101(g) [title III, §351(a)(1)(A)], inserted “or passenger motor vehicles from a bumper standard prescribed under chapter 325 of this title,” after “a motor vehicle safety standard prescribed under this chapter”.

Subsec. (b)(3)(A). Pub. L. 105-277, §101(g) [title III, §351(a)(1)(B)], inserted “or chapter 325 of this title (as applicable)” after “this chapter”.

Subsec. (c)(1). Pub. L. 105-277, §101(g) [title III, §351(a)(2)], inserted “, or a bumper standard prescribed under chapter 325 of this title,” after “motor vehicle safety standard prescribed under this chapter”.

Subsec. (d). Pub. L. 105-277, §101(g) [title III, §351(a)(3)], inserted “(including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1))” after “subsection (b)(3)(B)(i) of this section”.

Subsec. (h). Pub. L. 105-277, §101(g) [title III, §351(a)(4)], inserted “or bumper standard prescribed under chapter 325 of this title” after “each motor vehicle safety standard prescribed under this chapter”.

**§ 30114. Special exemptions**

(A)<sup>1</sup> VEHICLES USED FOR PARTICULAR PURPOSES.<sup>2</sup> The Secretary of Transportation may exempt a motor vehicle or item of motor vehicle equipment from section 30112(a) of this title on terms the Secretary decides are necessary for research, investigations, demonstrations, training, competitive racing events, show, or display.

(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

(1) IN GENERAL.—The Secretary shall—

(A) exempt from section 30112(a) of this title not more than 325 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

(3) PERMANENT LABEL REQUIREMENT.—

(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a), states that the vehicle is a replica, and designates the model year such vehicle replicates.

(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

(i) the dealer; and

(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 90 days to review and approve or deny a registration submitted under paragraph (2). If the Secretary determines that any such registration submitted is incomplete, the Secretary shall have an additional 30 days for review. Any registration not approved or denied within 90 days after initial submission, or 120 days if the registration submitted is incomplete, shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection or a finding by the Secretary of a safety-related defect or unlawful conduct under this chapter that poses a significant safety risk. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants and a list of the make and model of motor vehicles exempted under paragraph (1) on at least an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

(7) DEFINITIONS.—In this subsection:

(A) LOW-VOLUME MANUFACTURER.—The term “low-volume manufacturer” means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production, including by a

<sup>1</sup> So in original. Probably should be “(a)”.

<sup>2</sup> So in original. Probably should be followed by a dash.