

dealer that fails to maintain that label as required under section 32304, is liable to the United States Government for a civil penalty of not more than \$1,000 for each violation. Each failure to attach or maintain that label for each vehicle is a separate violation.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1042; Pub. L. 103-429, §6(31), Oct. 31, 1994, 108 Stat. 4380.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 32309(a) | (no source). | |
| 32309(b) | 15:1950(e). | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §210(e); added Oct. 6, 1992, Pub. L. 102-388, §355, 106 Stat. 1557. |

Subsection (a) is added to ensure that the definitions in 15:1950(f), restated in section 32304 of the revised title, apply to the source provision restated in this section.

In subsection (b), the words “Each failure to attach or maintain that label” are substituted for “Such failure” for clarity.

PUB. L. 103-429

This amends the catchline for 49:32309 to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 1042).

AMENDMENTS

1994—Pub. L. 103-429 substituted “Civil” for “Criminal” in section catchline.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

CHAPTER 325—BUMPER STANDARDS

| Sec. | Purpose. |
|---------|---|
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| 32502. | Bumper standards. |
| 32503. | Judicial review of bumper standards. |
| 32504. | Certificates of compliance. |
| 32505. | Information and compliance requirements. |
| 32506. | Prohibited acts. |
| 32507. | Penalties and enforcement. |
| 32508. | Civil actions by owners of passenger motor vehicles. |
| 32509. | Information and assistance from other departments, agencies, and instrumentalities. |
| [32510. | Repealed.] |
| 32511. | Relationship to other motor vehicle standards. |

AMENDMENTS

1998—Pub. L. 105-362, title XV, §1501(e)(2), Nov. 10, 1998, 112 Stat. 3295, struck out item 32510 “Annual report”.

§ 32501. Purpose

The purpose of this chapter is to reduce economic loss resulting from damage to passenger motor vehicles involved in motor vehicle accidents by providing for the maintenance and enforcement of bumper standards.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1042.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 32501 | 15:1911. | Oct. 20, 1972, Pub. L. 92-513, §101, 86 Stat. 948. |

The words “The Congress finds that it is necessary” are omitted as surplus. The word “maintenance” is substituted for “promulgation” for clarity.

§ 32502. Bumper standards

(a) GENERAL REQUIREMENTS AND NONAPPLICATION.—The Secretary of Transportation shall prescribe by regulation bumper standards for passenger motor vehicles and may prescribe by regulation bumper standards for passenger motor vehicle equipment manufactured in, or imported into, the United States. A standard does not apply to a passenger motor vehicle or passenger motor vehicle equipment—

- (1) intended only for export;
- (2) labeled for export on the vehicle or equipment and the outside of any container of the vehicle or equipment; and
- (3) exported.

(b) LIMITATIONS.—A standard under this section—

- (1) may not conflict with a motor vehicle safety standard prescribed under chapter 301 of this title;
- (2) may not specify a dollar amount for the cost of repairing damage to a passenger motor vehicle; and
- (3) to the greatest practicable extent, may not preclude the attachment of a detachable hitch.

(c) EXEMPTIONS.—For good cause, the Secretary may exempt from all or any part of a standard—

- (1) a multipurpose passenger vehicle;
- (2) a make, model, or class of a passenger motor vehicle manufactured for a special use, if the standard would interfere unreasonably with the special use of the vehicle; or
- (3) a passenger motor vehicle for which an application for an exemption under section 30013(b)¹ of this title has been filed in accordance with the requirements of that section.

(d) COST REDUCTION AND CONSIDERATIONS.—When prescribing a standard under this section, the Secretary shall design the standard to obtain the maximum feasible reduction of costs to the public, considering—

- (1) the costs and benefits of carrying out the standard;
- (2) the effect of the standard on insurance costs and legal fees and costs;
- (3) savings in consumer time and inconvenience; and
- (4) health and safety, including emission standards.

(e) PROCEDURES.—Section 553 of title 5 applies to a standard prescribed under this section. However, the Secretary shall give an interested person an opportunity to make oral and written presentations of information, views, and arguments. A transcript of each oral presentation

¹ So in original. Probably should be section “30113(b)”.