

accident because the vehicle did not comply with a standard prescribed under section 32502 of this title, the owner may bring a civil action against the manufacturer to recover the damages. The action may be brought in the United States District Court for the District of Columbia or in the United States district court for the judicial district in which the owner resides. The action must be brought not later than 3 years after the date of the accident. The court shall award costs and a reasonable attorney's fee to the owner when a judgment is entered for the owner.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1047.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32508, 15:1918, Oct. 20, 1972, Pub. L. 92-513, §108, 86 Stat. 955.

The words "applicable Federal" are omitted as surplus. The words "when a judgment is entered for the owner" are substituted for "in the case of any such successful action to recover that amount" to eliminate unnecessary words.

§ 32509. Information and assistance from other departments, agencies, and instrumentalities

(a) GENERAL AUTHORITY.—The Secretary of Transportation may request information necessary to carry out this chapter from a department, agency, or instrumentality of the United States Government. The head of the department, agency, or instrumentality shall provide the information.

(b) DETAILING PERSONNEL.—The head of a department, agency, or instrumentality may detail, on a reimbursable basis, personnel to assist the Secretary in carrying out this chapter.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1047.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32509, 15:1914(c), Oct. 20, 1972, Pub. L. 92-513, §104(c), 86 Stat. 951.

In subsection (a), the words "he deems" and "his functions under" are omitted as surplus. The words "head of the" are added for consistency in the revised title and with other titles of the United States Code. The words "cooperate with the Secretary and" and "to the Department of Transportation upon request made by the Secretary" are omitted as surplus.

[§ 32510. Repealed. Pub. L. 105-362, title XV, § 1501(e)(1), Nov. 10, 1998, 112 Stat. 3294]

Section, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1047, related to annual report by Secretary of Transportation to Congress and the President concerning bumper standards.

§ 32511. Relationship to other motor vehicle standards

(a) PREEMPTION.—Except as provided in this section, a State or a political subdivision of a State may prescribe or enforce a bumper standard for a passenger motor vehicle or passenger

motor vehicle equipment only if the standard is identical to a standard prescribed under section 32502 of this title.

(b) ENFORCEMENT.—This chapter and chapter 301 of this title do not affect the authority of a State to enforce a bumper standard about an aspect of performance of a passenger motor vehicle or passenger motor vehicle equipment not covered by a standard prescribed under section 32502 of this title if the State bumper standard—

(1) does not conflict with a standard prescribed under chapter 301 of this title; and

(2) was in effect or prescribed by the State on October 20, 1972.

(c) ADDITIONAL AND HIGHER STANDARDS OF PERFORMANCE.—The United States Government, a State, or a political subdivision of a State may prescribe a bumper standard for a passenger motor vehicle or passenger motor vehicle equipment obtained for its own use that imposes additional or higher standards of performance than a standard prescribed under section 32502 of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1047.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows 1-3: 32511(a), 32511(b), 32511(c) with corresponding U.S. Code and Statutes at Large references.

In subsection (a), the words "may prescribe or enforce . . . only if the standard is identical" are substituted for "no . . . shall have any authority to establish or enforce with respect to . . . which is not identical" to eliminate unnecessary words. The words "a standard prescribed under section 32502 of this title" are substituted for "Federal bumper standard" for clarity.

In subsection (b), before clause (1), the words "to continue" are omitted as surplus. The words "a bumper standard about an aspect of performance . . . not covered by a standard prescribed under section 32502 of this title" are substituted for "Until a Federal bumper standard takes effect with respect to an aspect of performance" and "any bumper standard which is applicable to the same aspect of performance of such vehicle or item of equipment" to eliminate unnecessary words. The words "if the State bumper standard" are added for clarity.

In subsection (c), the words "that imposes additional or higher standards of performance than" are substituted for "which is not identical to . . . if such requirement imposes an additional or higher standard of performance" for clarity and to eliminate unnecessary words.

CHAPTER 327—ODOMETERS

Table with 2 columns: Sec. and Findings and purposes. Rows 1-11: 32701-32711 with corresponding descriptions of findings and purposes.

§ 32701. Findings and purposes

(a) FINDINGS.—Congress finds that—

(1) buyers of motor vehicles rely heavily on the odometer reading as an index of the condition and value of a vehicle;

(2) buyers are entitled to rely on the odometer reading as an accurate indication of the mileage of the vehicle;

(3) an accurate indication of the mileage assists a buyer in deciding on the safety and reliability of the vehicle; and

(4) motor vehicles move in, or affect, interstate and foreign commerce.

(b) **PURPOSES.**—The purposes of this chapter are—

(1) to prohibit tampering with motor vehicle odometers; and

(2) to provide safeguards to protect purchasers in the sale of motor vehicles with altered or reset odometers.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1048.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
32701(a)	15:1981 (1st sentence).	Oct. 20, 1972, Pub. L. 92–513, §401, 86 Stat. 961.
32701(b)	15:1981 (last sentence).	

§ 32702. Definitions

In this chapter—

(1) “auction company” means a person taking possession of a motor vehicle owned by another to sell at an auction.

(2) “dealer” means a person that sold at least 5 motor vehicles during the prior 12 months to buyers that in good faith bought the vehicles other than for resale.

(3) “distributor” means a person that sold at least 5 motor vehicles during the prior 12 months for resale.

(4) “leased motor vehicle” means a motor vehicle leased to a person for at least 4 months by a lessor that leased at least 5 vehicles during the prior 12 months.

(5) “odometer” means an instrument or system of components for measuring and recording the distance a motor vehicle is driven, but does not include an auxiliary instrument or system of components designed to be reset by the operator of the vehicle to record mileage of a trip.

(6) “repair” and “replace” mean to restore to a sound working condition by replacing any part of an odometer or by correcting any inoperative part of an odometer.

(7) “title” means the certificate of title or other document issued by the State indicating ownership.

(8) “transfer” means to change ownership by sale, gift, or any other means.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1048; Pub. L. 104–287, §5(61), Oct. 11, 1996, 110 Stat. 3394; Pub. L. 112–141, div. C, title I, §31205(a), July 6, 2012, 126 Stat. 760.)

HISTORICAL AND REVISION NOTES
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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
32702(1)	15:1982(8).	Oct. 20, 1972, Pub. L. 92–513, 86 Stat. 947, §402(6)–(8); added Oct. 28, 1986, Pub. L. 99–579, §2(b), 100 Stat. 3310.
32702(2)	15:1982(1).	Oct. 20, 1972, Pub. L. 92–513, 86 Stat. 947, §402(1), (2); added July 14, 1976, Pub. L. 94–364, §401(2), 90 Stat. 983.
32702(3)	15:1982(2).	
32702(4)	15:1982(7).	
32702(5)	15:1982(3).	Oct. 20, 1972, Pub. L. 92–513, §402(3)–(5), 86 Stat. 961; July 14, 1976, Pub. L. 94–364, §401(1), 90 Stat. 983.
32702(6)	15:1982(4).	
32702(7)	15:1982(6).	
32702(8)	15:1982(5).	

In clause (1), the words “(whether through consignment or bailment or through any other arrangement)” and “such motor vehicle” are omitted as surplus.

In clause (4), the words “a term of” are omitted as surplus.

In clause (5), the words “the distance a motor vehicle is driven” are substituted for “the actual distance a motor vehicle travels while in operation” for clarity and to eliminate unnecessary words.

PUB. L. 104–287

This amends 49:32702(8) and 32705 to clarify the restatement of 15:1982(5) and 1988 by section 1 of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1049).

AMENDMENTS

2012—Par. (5). Pub. L. 112–141, which directed insertion of “or system of components” after “instrument”, was executed by making the insertion after “instrument” both places it appeared.

1996—Par. (8). Pub. L. 104–287 inserted “any” after “or”.

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 OF 1996 AMENDMENT

Amendment by Pub. L. 104–287 effective July 5, 1994, see section 8(1) of Pub. L. 104–287, set out as a note under section 5303 of this title.

§ 32703. Preventing tampering

A person may not—

(1) advertise for sale, sell, use, install, or have installed, a device that makes an odometer of a motor vehicle register a mileage different from the mileage the vehicle was driven, as registered by the odometer within the designed tolerance of the manufacturer of the odometer;

(2) disconnect, reset, alter, or have disconnected, reset, or altered, an odometer of a motor vehicle intending to change the mileage registered by the odometer;

(3) with intent to defraud, operate a motor vehicle on a street, road, or highway if the person knows that the odometer of the vehicle is disconnected or not operating; or

(4) conspire to violate this section or section 32704 or 32705 of this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1049; Pub. L. 103–429, §6(33), Oct. 31, 1994, 108 Stat. 4380.)