

§ 32919. Preemption

(a) GENERAL.—When an average fuel economy standard prescribed under this chapter is in effect, a State or a political subdivision of a State may not adopt or enforce a law or regulation related to fuel economy standards or average fuel economy standards for automobiles covered by an average fuel economy standard under this chapter.

(b) REQUIREMENTS MUST BE IDENTICAL.—When a requirement under section 32908 of this title is in effect, a State or a political subdivision of a State may adopt or enforce a law or regulation on disclosure of fuel economy or fuel operating costs for an automobile covered by section 32908 only if the law or regulation is identical to that requirement.

(c) STATE AND POLITICAL SUBDIVISION AUTOMOBILES.—A State or a political subdivision of a State may prescribe requirements for fuel economy for automobiles obtained for its own use.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1075, §32918; renumbered §32919, Pub. L. 103-429, §6(43)(A), Oct. 31, 1994, 108 Stat. 4382.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 32918 | 15:2009. | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §509; added Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 914. |

In subsection (a), the word “prescribed” is substituted for “established” for consistency.

AMENDMENTS

1994—Pub. L. 103-429 renumbered section 32918 of this title as this section.

CHAPTER 331—THEFT PREVENTION

| Sec. | |
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| 33101. | Definitions. |
| 33102. | Theft prevention standard for high theft lines. |
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| 33104. | Designation of high theft vehicle lines and parts. |
| 33105. | Cost limitations. |
| 33106. | Exemption for passenger motor vehicles equipped with anti-theft devices. |
| 33107. | Voluntary vehicle identification standards. |
| 33108. | Monitoring compliance of manufacturers. |
| 33109. | National Stolen Passenger Motor Vehicle Information System. |
| 33110. | Verifications involving junk and salvage motor vehicles. |
| 33111. | Verifications involving motor vehicle major parts. |
| [33112. | Repealed.] |
| 33113. | Theft reports. |
| 33114. | Prohibited acts. |
| 33115. | Civil penalties and enforcement. |
| 33116. | Confidentiality of information. |
| 33117. | Judicial review. |
| 33118. | Preemption of State and local law. |

AMENDMENTS

2012—Pub. L. 112-141, div. C, title I, §1313(1), July 6, 2012, 126 Stat. 772, struck out item 33112 “Insurance reports and information”.

§ 33101. Definitions

In this chapter—

(1) “chop shop” means a building, lot, facility, or other structure or premise at which at least one person engages in receiving, concealing, destroying, disassembling, dismantling, reassembling, or storing a passenger motor vehicle or passenger motor vehicle part that has been unlawfully obtained—

(A) to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, or remove the identity of the vehicle or part, including the vehicle identification number or a derivative of that number; and

(B) to distribute, sell, or dispose of the vehicle or part in interstate or foreign commerce.

(2) “covered major part” means a major part selected under section 33104 of this title for coverage by the vehicle theft prevention standard prescribed under section 33102 or 33103 of this title.

(3) “existing line” means a line introduced into commerce before January 1, 1990.

(4) “first purchaser” means the person making the first purchase other than for resale.

(5) “line” means a name that a manufacturer of motor vehicles applies to a group of motor vehicle models of the same make that have the same body or chassis, or otherwise are similar in construction or design.

(6) “major part” means—

(A) the engine;

(B) the transmission;

(C) each door to the passenger compartment;

(D) the hood;

(E) the grille;

(F) each bumper;

(G) each front fender;

(H) the deck lid, tailgate, or hatchback;

(I) each rear quarter panel;

(J) the trunk floor pan;

(K) the frame or, for a unitized body, the supporting structure serving as the frame; and

(L) any other part of a passenger motor vehicle that the Secretary of Transportation by regulation specifies as comparable in design or function to any of the parts listed in subclauses (A)–(K) of this clause.

(7) “major replacement part” means a major part that is—

(A) an original major part in or on a completed motor vehicle and customized or modified after manufacture of the vehicle but before the time of its delivery to the first purchaser; or

(B) not installed in or on a motor vehicle at the time of its delivery to the first purchaser and the equitable or legal title to the vehicle has not been transferred to a first purchaser.

(8) “model year” has the same meaning given that term in section 32901(a) of this title.

(9) “new line” means a line introduced into commerce after December 31, 1989.

(10) “passenger motor vehicle” includes a multipurpose passenger vehicle or light duty truck when that vehicle or truck is rated at not more than 6,000 pounds gross vehicle weight.