

the revised title. In clauses (10) and (11), the words “the Northern Mariana Islands” are added because of section 502(a)(2) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, as enacted by the Act of March 24, 1976 (Public Law 94-241, 90 Stat. 268), and as proclaimed to be in effect by the President on January 9, 1978 (Proc. No. 4534, Oct. 24, 1977, 42 F.R. 56593). The words “the Canal Zone” are omitted because of the Panama Canal Treaty of 1977. In clause (10), the word “means” is substituted for “includes” as being more appropriate. The words “a State of the United States” are substituted for “each of the several States” for consistency. The words “the Commonwealth of” are omitted as surplus. In clause (11), the word “Federal” is omitted as surplus. The words “of the Commonwealth of Puerto Rico” are omitted as unnecessary because the district court of Puerto Rico is a district court of the United States under 28:119.

In subsection (b)(1), before clause (A), the words “The term” and “the term” are omitted as surplus. In clause (B), the words “of a motor vehicle or motor vehicle equipment” are added for clarity. In clause (E), the words “to be” are added for consistency. The words “marketed under such brand name” are omitted as surplus. In clause (F), the words “a motor vehicle safety standard prescribed under this chapter” are added for clarity and consistency. The word “noncompliance” is substituted for “failure to comply” for consistency in the chapter. In clause (G), the words “(rather than the manufacturer of such equipment)” are omitted as surplus. The words “deemed to be” are substituted for “considered” for consistency. In clause (H), the words “which have been” are omitted as surplus.

Subsection (b)(2) is substituted for “Except as otherwise provided in regulations of the Secretary” for clarity and because of the restatement.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-94, § 24109(b)(3), added par. (1). Former par. (1) redesignated (2).

Subsec. (a)(2) to (10). Pub. L. 114-94, § 24109(b)(2), redesignated pars. (1) to (9) as (2) to (10), respectively. Former par. (10) redesignated (12).

Subsec. (a)(11). Pub. L. 114-94, § 24109(b)(4), added par. (11). Former par. (11) redesignated (13).

Subsec. (a)(12), (13). Pub. L. 114-94, § 24109(b)(1), redesignated pars. (10) and (11) as (12) and (13), respectively.

2012—Subsec. (a)(7)(C). Pub. L. 112-141 amended subpar. (C) generally. Prior to amendment, subpar. (C) read as follows: “any device or an article or apparel (except medicine or eyeglasses prescribed by a licensed practitioner) that is not a system, part, or component of a motor vehicle and is manufactured, sold, delivered, offered, or intended to be used only to safeguard motor vehicles and highway users against risk of accident, injury, or death.”

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-94, div. B, title XXIV, § 24109(k), Dec. 4, 2015, 129 Stat. 1709, provided that: “The amendments made by this section [amending this section and sections 30120, 30122, and 30166 of this title] shall take effect on the date that is 180 days after the date of enactment of this Act [Dec. 4, 2015].”

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.

RULE OF CONSTRUCTION

Pub. L. 114-94, div. B, title XXIV, § 24109(i), Dec. 4, 2015, 129 Stat. 1708, provided that: “Nothing in this section [amending this section and sections 30120, 30122, and 30166 of this title and enacting provisions set out as notes under this section and section 30101 of this title] or the amendments made by this section—

“(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

“(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).”

RULEMAKING

Pub. L. 114-94, div. B, title XXIV, § 24109(j), Dec. 4, 2015, 129 Stat. 1708, provided that: “The Secretary [probably means Secretary of Transportation] may promulgate rules, as appropriate, to implement this section [amending this section and sections 30120, 30122, and 30166 of this title and enacting provisions set out as notes under this section and section 30101 of this title] and the amendments made by this section.”

LOW-SPEED ELECTRIC BICYCLES

Pub. L. 107-319, § 2, Dec. 4, 2002, 116 Stat. 2776, provided that: “For purposes of motor vehicle safety standards issued and enforced pursuant to chapter 301 of title 49, United States Code, a low-speed electric bicycle (as defined in section 38(b) of the Consumer Product Safety Act [15 U.S.C. 2085(b)]) shall not be considered a motor vehicle as defined by section 30102[(a)](6) [now 30102(a)(7)] of title 49, United States Code.”

§ 30103. Relationship to other laws

(a) UNIFORMITY OF REGULATIONS.—The Secretary of Transportation may not prescribe a safety regulation related to a motor vehicle subject to subchapter I of chapter 135 of this title that differs from a motor vehicle safety standard prescribed under this chapter. However, the Secretary may prescribe, for a motor vehicle operated by a carrier subject to subchapter I of chapter 135, a safety regulation that imposes a higher standard of performance after manufacture than that required by an applicable standard in effect at the time of manufacture.

(b) PREEMPTION.—(1) When a motor vehicle safety standard is in effect under this chapter, a State or a political subdivision of a State may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical to the standard prescribed under this chapter. However, the United States Government, a State, or a political subdivision of a State may prescribe a standard for a motor vehicle or motor vehicle equipment obtained for its own use that imposes a higher performance requirement than that required by the otherwise applicable standard under this chapter.

(2) A State may enforce a standard that is identical to a standard prescribed under this chapter.

(c) ANTITRUST LAWS.—This chapter does not—

(1) exempt from the antitrust laws conduct that is unlawful under those laws; or

(2) prohibit under the antitrust laws conduct that is lawful under those laws.

(d) WARRANTY OBLIGATIONS AND ADDITIONAL LEGAL RIGHTS AND REMEDIES.—Sections 30117(b), 30118–30121, 30166(f), and 30167(a) and (b) of this title do not establish or affect a warranty obligation under a law of the United States or a State. A remedy under those sections and sec-

tions 30161 and 30162 of this title is in addition to other rights and remedies under other laws of the United States or a State.

(e) COMMON LAW LIABILITY.—Compliance with a motor vehicle safety standard prescribed under this chapter does not exempt a person from liability at common law.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 943; Pub. L. 104–88, title III, §308(j), Dec. 29, 1995, 109 Stat. 947.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30103(a)	15:1392(g).	Sept. 9, 1966, Pub. L. 89–563, §§103(g), 105(a)(6), 116, 80 Stat. 720, 721, 727.
30103(b)	15:1392(d).	Sept. 9, 1966, Pub. L. 89–563, §103(d), 80 Stat. 719; Oct. 15, 1982, Pub. L. 97–331, §3, 96 Stat. 1619.
30103(c)	15:1405.	Sept. 9, 1966, Pub. L. 89–563, 80 Stat. 718, §§124(e), 160; added Oct. 27, 1974, Pub. L. 93–492, §§102(a), 106, 88 Stat. 1477, 1481.
30103(d)	15:1394(a)(6). 15:1410a(e).	
30103(e)	15:1420. 15:1397(k).	Sept. 9, 1966, Pub. L. 89–563, §108(k), 80 Stat. 723; Oct. 31, 1988, Pub. L. 100–562, §2(b), 102 Stat. 2818.

In subsection (a), the words “or the Transportation of Explosives Act, as amended (18 U.S.C. 831–835)” are omitted as obsolete because 18:831–835 have been repealed. The word “prescribe” is substituted for “adopt” for consistency. The words “or continue in effect” and “In prescribing safety regulations” are omitted as surplus. The word “prescribed” is substituted for “issued” for consistency. The words “to comply” and “Federal” are omitted as surplus. The words “in effect” are added for clarity.

In subsection (b)(1), the word “Federal” is omitted as surplus. The word “prescribe” is substituted for “either to establish, or to continue in effect” for consistency and to eliminate unnecessary words. The words “standard prescribed under this chapter” are substituted for “Federal standard” for clarity. The words “However, the United States . . . may prescribe” are substituted for “Nothing in this section shall be construed to prevent the Federal . . . from establishing” for consistency. The words “of a State” are substituted for “thereof” for clarity. The word “standard” is substituted for “safety requirement” for consistency. The words “performance requirement” are substituted for “standard of performance” to avoid using “standard” in 2 different ways.

Subsection (b)(2) is substituted for 15:1392(d) (2d sentence) for consistency and to eliminate unnecessary words.

In subsection (c), the words “be deemed to” and “of the United States” are omitted as surplus.

In subsection (d), the words “United States” are substituted for “Federal” in 15:1420 for consistency. The words “Consumer” in 15:1420, “not in lieu of” in 15:1410a(e) and 1420, and “not in substitution for” in 15:1394(a)(6) are omitted as surplus. The word “other” is added for clarity.

AMENDMENTS

1995—Subsec. (a). Pub. L. 104–88 substituted “subchapter I of chapter 135” for “subchapter II of chapter 105” in two places.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104–88 effective Jan. 1, 1996, see section 2 of Pub. L. 104–88, set out as an Effective Date note under section 1301 of this title.

§ 30104. Authorization of appropriations

There is authorized to be appropriated to the Secretary \$98,313,500 for the National Highway Traffic Safety Administration to carry out this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 944; Pub. L. 105–178, title VII, §7102(a), June 9, 1998, 112 Stat. 465; Pub. L. 106–39, §1(a), July 28, 1999, 113 Stat. 206.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30104	15:1392 (note).	Dec. 18, 1991, Pub. L. 102–240, §2501(a), 105 Stat. 2081.

In this section, before clause (1), the words “to the Secretary of Transportation for the National Highway Traffic Safety Administration” are substituted for “For the National Highway Traffic Safety Administration” for clarity and consistency in the revised title and with other titles of the United States Code. The reference to fiscal year 1992 is omitted as obsolete.

AMENDMENTS

1999—Pub. L. 106–39 substituted “\$98,313,500” for “\$81,200,000”.

1998—Pub. L. 105–178 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “The following amounts may be appropriated to the Secretary of Transportation for the National Highway Traffic Safety Administration to carry out this chapter:

- “(1) \$71,333,436 for the fiscal year ending September 30, 1993.
- “(2) \$74,044,106 for the fiscal year ending September 30, 1994.
- “(3) \$76,857,782 for the fiscal year ending September 30, 1995.”

§ 30105. Restriction on lobbying activities

(a) IN GENERAL.—No funds appropriated to the Secretary for the National Highway Traffic Safety Administration shall be available for any activity specifically designed to urge a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body.

(b) APPEARANCE AS WITNESS NOT BARRED.—Subsection (a) does not prohibit officers or employees of the United States from testifying before any State or local legislative body in response to the invitation of any member of that legislative body or a State executive office.

(Added and amended Pub. L. 105–178, title VII, §7104(a), (c), June 9, 1998, 112 Stat. 466; Pub. L. 105–206, title IX, §9012(a), July 22, 1998, 112 Stat. 864.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105–178, §7104(c), as added by Pub. L. 105–206, inserted “for the National Highway Traffic Safety Administration” after “Secretary”.

EFFECTIVE DATE OF 1998 AMENDMENT

Title IX of Pub. L. 105–206 effective simultaneously with enactment of Pub. L. 105–178 and to be treated as included in Pub. L. 105–178 at time of enactment, and provisions of Pub. L. 105–178, as in effect on day before July 22, 1998, that are amended by title IX of Pub. L. 105–206 to be treated as not enacted, see section 9016 of Pub. L. 105–206, set out as a note under section 101 of Title 23, Highways.