

HISTORICAL AND REVISION NOTES—CONTINUED
PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
33101(2)	15:2021(6).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §601(2)-(7), (9), (10); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2755, 2756.
33101(3)	15:2021(3).	
33101(4)	15:2021(5).	
33101(5)	15:2021(2).	
33101(6)	15:2021(7).	
33101(7)	15:2021(8).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §601(1), (8); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2755; restated Oct. 25, 1992, Pub. L. 102-519, §301(a), (c), 106 Stat. 3393, 3394.
33101(8)	15:2021(9).	
33101(9)	15:2021(4).	
33101(10)	15:2021(1).	
33101(11)	15:2021(10).	

In clause (2), the words “section 33102(c)(1)” are substituted for “section 2022(d)(1)(B)” to correct an erroneous cross-reference. Section 302(1) of the Act of October 25, 1992 (Public Law 102-519, 106 Stat. 3394), restated section 602(d)(1)(A) and (B) of the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, 86 Stat. 947) as section 602(d)(1) without making a corresponding change in the cross-reference restated in this section.

In clause (3), the words “before January 1, 1990” are substituted for “before the beginning of the 2-year period specified in section 2023(a)(1)(A) of this title” for clarity. See the revision notes for section 33104 of the revised title.

In clause (5), the words “of motor vehicles” are added for consistency in this chapter.

Clause (6)(I) is substituted for “rear quarter panels” for clarity and consistency.

In clause (7)(A), the word “completed” is omitted as unnecessary because of the restatement.

In clause (9), the words “after December 31, 1989” are substituted for “on or after the beginning of the 2-year period specified in section 2023(a)(1)(A) of this title” for clarity and consistency.

PUB. L. 103-429, §6(44)(A)

This corrects a cross-reference in 49:33101(2) by eliminating the reference to 49:33102(c)(1). Section 302(1) of the Anti Car Theft Act of 1992 (Public Law 102-519, 106 Stat. 3394) restated section 602(d)(1)(A) and (B) of the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, 86 Stat. 947) as section 602(d)(1) without making a change in the cross-reference in section 601(6) to section 602(d)(1)(B).

PUB. L. 103-429, §6(44)(B)

This makes a conforming amendment for consistency with the style of title 49.

AMENDMENTS

1996—Pub. L. 104-287 made technical amendment to directory language of Pub. L. 103-429, §6(44)(B). See 1994 Amendment note below.

1994—Par. (2). Pub. L. 103-429, §6(44)(B), as amended by Pub. L. 104-287, inserted “of this title” before period at end.

Pub. L. 103-429, §6(44)(A), substituted “section 33104” for “sections 33102(c)(1) and 33104”.

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-287, §6(d), Oct. 11, 1996, 110 Stat. 3398, provided that the amendment made by section 6(d)(1)(B) is effective Oct. 31, 1994.

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.

§ 33102. Theft prevention standard for high theft lines

(a) GENERAL.—(1) The Secretary of Transportation by regulation shall prescribe a vehicle theft prevention standard that conforms to the requirements of this chapter. The standard shall apply to—

(A) covered major parts that manufacturers install in passenger motor vehicles in lines designated under section 33104 of this title as high theft lines; and

(B) major replacement parts for the major parts described in clause (A) of this paragraph.

(2) The standard may apply only to—

(A) major parts that manufacturers install in passenger motor vehicles having a model year designation later than the calendar year in which the standard takes effect; and

(B) major replacement parts manufactured after the standard takes effect.

(b) STANDARD REQUIREMENTS.—The standard shall be practicable and provide relevant objective criteria.

(c) LIMITATIONS ON MAJOR PART AND REPLACEMENT PART STANDARDS.—(1) For a major part installed by the manufacturer of the motor vehicle, the standard may not require a part to have more than one identification.

(2) For a major replacement part, the standard may not require—

(A) identification of a part not designed as a replacement for a major part required to be identified under the standard; or

(B) the inscribing or affixing of identification except a symbol identifying the manufacturer and a common symbol identifying the part as a major replacement part.

(d) RECORDS AND REPORTS.—This chapter does not authorize the Secretary to require a person to keep records or make reports, except as provided in sections 33104(c), 33106(c), 33108(a), and 33112¹ of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1077.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
33102(a)(1) ..	15:2022(a).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §602(a), (b), (c)(1)-(3), (5), (d)(2); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2756.
33102(a)(2) ..	15:2022(c)(1)-(3), (5).	
33102(b)	15:2022(b).	
33102(c)	15:2022(d)(1).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §602(d)(1); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2756; restated Oct. 25, 1992, Pub. L. 102-519, §302(1), 106 Stat. 3394.
33102(d)	15:2022(e).	Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §602(e); added Oct. 25, 1984, Pub. L. 98-547, §101(a), 98 Stat. 2756; Oct. 25, 1992, Pub. L. 102-519, §306(a), 106 Stat. 3397.

In subsection (a)(1), before clause (A), the words “in accordance with this section” are omitted as surplus.

¹ See References in Text note below.

In subsection (a)(2), the text of 15:2022(c)(1)–(3) is omitted as obsolete because the standard has already been prescribed. See 49 C.F.R. part 541.

REFERENCES IN TEXT

Section 33112 of this title, referred to in subsec. (d), was repealed by Pub. L. 112–141, div. C, title I, §31313(2), July 6, 2012, 126 Stat. 772.

§ 33103. Theft prevention standard for other lines

(a) GENERAL.—Not later than October 25, 1994, the Secretary of Transportation shall prescribe a vehicle theft standard that conforms to the requirements of this chapter for covered major parts that manufacturers install in passenger motor vehicles (except light duty trucks) in not more than 50 percent of the lines not designated under section 33104 of this title as high theft lines.

(b) EXTENSION OF APPLICATION.—(1) Not later than 3 years after the standard is prescribed under subsection (a) of this section and based on the finding of the Attorney General under subsection (c) of this section to apply the standard, the Secretary shall apply that standard to covered major parts and major replacement parts for covered parts that manufacturers install in the lines of passenger motor vehicles (except light duty trucks)—

(A) not designated under section 33104 of this title as high theft lines; and

(B) not covered by the standard prescribed under subsection (a) of this section.

(2) The Secretary shall include as part of the regulatory proceeding under this subsection the finding of, and the record developed by, the Attorney General under subsection (c) of this section.

(c) INITIAL REVIEW OF EFFECTIVENESS.—Before the Secretary begins a regulatory proceeding under subsection (b) of this section, the Attorney General shall make a finding that the Secretary shall apply the standard prescribed under subsection (a) of this section unless the Attorney General finds, based on information collected and analyzed under section 33112¹ of this title and other information the Attorney General develops after providing notice and an opportunity for a public hearing, that applying the standard prescribed in subsection (a) to the remaining lines of passenger motor vehicles (except light duty trucks) not covered by that standard would not substantially inhibit chop shop operations and motor vehicle thefts. The Attorney General also shall consider and include in the record additional costs, effectiveness, competition, and available alternative factors. The Attorney General shall submit to the Secretary the finding and record on which the finding is based.

(d) LONG RANGE REVIEW OF EFFECTIVENESS.—(1) Not later than December 31, 1999, the Attorney General shall make separate findings, after notice and an opportunity for a public hearing, on the following:

(A) whether the application of the standard under subsection (a) or (b) of this subsection, or both, have been effective in substantially inhibiting the operation of chop shops and motor vehicle theft.

(B) whether the anti-theft devices for which the Secretary has granted exemptions under section 33106 of this title are an effective substitute for parts marking in substantially inhibiting motor vehicle theft.

(2)(A) In making the finding under paragraph (1)(A) of this subsection, the Attorney General shall—

(i) consider the additional cost, competition, and available alternatives;

(ii) base that finding on information collected and analyzed under section 33112¹ of this title;

(iii) consider the effectiveness, the extent of use, and the extent to which civil and criminal penalties under section 33115(b) of this title and section 2322 of title 18 on chop shops have been effective in substantially inhibiting operation of chop shops and motor vehicle theft;

(iv) base that finding on the 3-year and 5-year reports issued by the Secretary under section 33113 of this title; and

(v) base that finding on other information the Attorney General develops and includes in the public record.

(B) The Attorney General shall submit a finding under paragraph (1)(A) of this subsection promptly to the Secretary. If the Attorney General finds that the application of the standard under subsection (a) or (b) of this section, or both, has not been effective, the Secretary shall issue, not later than 180 days after receiving that finding, an order terminating the standard the Attorney General found was ineffective. The termination is effective for the model year beginning after the order is issued.

(3) In making a finding under paragraph (1)(B) of this subsection, the Secretary shall consider the additional cost, competition, and available alternatives. If the Attorney General finds that the anti-theft devices are an effective substitute, the Secretary shall continue to grant exemptions under section 33106 of this title for the model years after model year 2000 at one of the following levels that the Attorney General decides: at the level authorized before October 25, 1992, or at the level provided in section 33106(b)(2)(C) of this title for model year 2000.

(e) EFFECTIVE DATE OF STANDARD.—A standard prescribed under this section takes effect at least 6 months after the date the standard is prescribed, except that the Secretary may prescribe an earlier effective date if the Secretary—

(1) decides with good cause that the earlier date is in the public interest; and

(2) publishes the reasons for the decision.

(f) NOTIFICATION OF CONGRESS.—The Secretary and the Attorney General shall inform the appropriate legislative committees of Congress with jurisdiction over this part and section 2322 of title 18 of actions taken or planned under this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1078.)

¹ See References in Text note below.