

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 (12), 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 in the revised title and with other titles of the United States Code.

In clause (13), the words “of the Commonwealth of Puerto Rico” are omitted as surplus because the district court of Puerto Rico is a district court of the United States under 28:119.

PUB. L. 103-429

This makes a conforming amendment to 49:32101 necessary because of the amendment to 49:32304(a)(11) made by section 6(29) of the bill and to clarify the restatement of 15:1901 by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 1034).

AMENDMENTS

1994—Pub. L. 103-429 amended introductory provisions generally. Prior to amendment, introductory provisions read as follows: “In this part (except section 32304 and chapter 329)—”.

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.

§ 32102. Authorization of appropriations

There is authorized to be appropriated to the Secretary \$9,562,500 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. 1035; Pub. L. 105-178, title VII, §7102(b), June 9, 1998, 112 Stat. 465; Pub. L. 106-39, §1(b), July 28, 1999, 113 Stat. 206.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32102, 15:1392 (note), Dec. 18, 1991, Pub. L. 102-240, §2501(b), 105 Stat. 2081.

The reference to fiscal year 1992 is omitted as obsolete.

AMENDMENTS

1999—Pub. L. 106-39 substituted “\$9,562,500” for “\$6,200,000”.

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 part:

- “(1) \$6,731,430 for the fiscal year ending September 30, 1993.
“(2) \$6,987,224 for the fiscal year ending September 30, 1994.
“(3) \$7,252,739 for the fiscal year ending September 30, 1995.”

CHAPTER 323—CONSUMER INFORMATION

Table with 2 columns: Sec., Description. Rows: 32301. Definitions. 32302. Passenger motor vehicle information. 32303. Insurance information. 32304. Passenger motor vehicle country of origin labeling.

Table with 2 columns: Sec., Description. Rows: 32304A. Consumer tire information. 32305. Information and assistance from other departments, agencies, and instrumentalities. Personnel. 32306. Investigative powers. 32307. General prohibitions, civil penalty, and enforcement. 32308. Civil penalty for labeling violations.

AMENDMENTS

2007—Pub. L. 110-140, title I, §111(c), Dec. 19, 2007, 121 Stat. 1507, added item 32304A.

1994—Pub. L. 103-429, §6(28), Oct. 31, 1994, 108 Stat. 4380, substituted “Civil” for “Criminal” in item 32309.

§ 32301. Definitions

In this chapter—

- (1) “crash avoidance” means preventing or mitigating a crash;
(2) “crashworthiness” means the protection a passenger motor vehicle gives its passengers against personal injury or death from a motor vehicle accident; and
(3) “damage susceptibility” means the susceptibility of a passenger motor vehicle to damage in a motor vehicle accident.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1035; Pub. L. 112-141, div. C, title I, §31305(a), July 6, 2012, 126 Stat. 765.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32301, 15:1901(13), (14), Oct. 20, 1972, Pub. L. 92-513, §2(13), (14), 86 Stat. 948; Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 901; Oct. 10, 1980, Pub. L. 96-425, §8(a)(2), 94 Stat. 1828; Oct. 25, 1984, Pub. L. 98-547, §101(b), 98 Stat. 2767.

AMENDMENTS

2012—Pub. L. 112-141 added par. (1), redesignated former pars. (1) and (2) as (2) and (3), respectively, and, in par. (2), substituted “; and” for period at end.

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.

§ 32302. Passenger motor vehicle information

(a) INFORMATION PROGRAM.—The Secretary of Transportation shall maintain a program for developing the following information on passenger motor vehicles:

- (1) damage susceptibility.
(2) crashworthiness, crash avoidance, and any other areas the Secretary determines will improve the safety of passenger motor vehicles.
(3) the degree of difficulty of diagnosis and repair of damage to, or failure of, mechanical and electrical systems.

(b) MOTOR VEHICLE INFORMATION.—To assist a consumer in buying a passenger motor vehicle, the Secretary shall provide to the public infor-

1 Section catchline amended by Pub. L. 114-94 without corresponding amendment of chapter analysis.

mation developed under subsection (a) of this section. The information shall be in a simple and understandable form that allows comparison of the characteristics referred to in subsection (a)(1)–(3) of this section among the makes and models of passenger motor vehicles. The Secretary may require passenger motor vehicle dealers to distribute the information to prospective buyers. The Secretary, after providing an opportunity for public comment, shall study and report to Congress the most useful data, format, and method for providing simple and understandable damage susceptibility information to consumers.

(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.

(d) MOTOR VEHICLE DEFECT REPORTING INFORMATION.—

(1) RULEMAKING REQUIRED.—Not later than 1 year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, the Secretary shall prescribe regulations that require passenger motor vehicle manufacturers—

(A) to affix, in the glove compartment or in another readily accessible location on the vehicle, a sticker, decal, or other device that provides, in simple and understandable language, information about how to submit a safety-related motor vehicle defect complaint to the National Highway Traffic Safety Administration;

(B) to prominently print the information described in subparagraph (A) within the owner’s manual; and

(C) to not place such information on the label required under section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

(2) APPLICATION.—The requirements under paragraph (1) shall apply to passenger motor vehicles manufactured in any model year beginning more than 1 year after the date on which a final rule is published under paragraph (1).

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1035; Pub. L. 112–141, div. C, title I, §§31305(b), 31306, July 6, 2012, 126 Stat. 765; Pub. L. 112–252, §1, 2(a), Jan. 10, 2013, 126 Stat. 2406; Pub. L. 114–94, div. B, title XXIV, §24322, Dec. 4, 2015, 129 Stat. 1713.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32302(a)	15:1941(c) (19th–60th words), 15:1941(d) (1st–13th words).	Oct. 20, 1972, Pub. L. 92–513, §201(c), (e), 86 Stat. 956. Oct. 20, 1972, Pub. L. 92–513, §201(d), 86 Stat. 956; July 14, 1976, Pub. L. 94–364, §201, 90 Stat. 981.
32302(b)	15:1941(c) (1st–18th and 61st–last words), (d) (14th–last words).	
32302(c)	15:1941(e).	

In subsection (a), the words before clause (1) are substituted for “The Secretary shall compile the informa-

tion described in subsection (c) of this section” and “existing information and information to be developed relating to” for clarity and to eliminate unnecessary words.

In subsection (b), the words “After the study has been completed” are omitted as executed. The words “To assist a consumer in buying a passenger motor vehicle” are substituted for “so as to be of benefit in their passenger motor vehicle purchasing decisions”, and the words “the Secretary shall provide to the public” are substituted for “the Secretary is authorized and directed to devise specific ways in which . . . can be communicated to consumers” and “furnish it to the public”, to eliminate unnecessary words. The word “existing” is omitted as obsolete.

In subsection (c), the words “not later than February 1, 1975” are omitted as executed. The words “prescribe regulations” are substituted for “by rule establish” for consistency in the revised title and because “rule” is synonymous with “regulation”.

REFERENCES IN TEXT

The date of enactment of the Safety Through Informed Consumers Act of 2015, referred to in subsec. (c), is the date of enactment of part II of subtitle C of title XXIV of div. B of Pub. L. 114–94, which was approved Dec. 4, 2015.

The date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, referred to in subsec. (d)(1), is the date of enactment of title I of div. C of Pub. L. 112–141, which was approved July 6, 2012.

AMENDMENTS

2015—Subsec. (c). Pub. L. 114–94 added subsec. (c).

2013—Subsec. (b). Pub. L. 112–252, §2(a), inserted at end “The Secretary, after providing an opportunity for public comment, shall study and report to Congress the most useful data, format, and method for providing simple and understandable damage susceptibility information to consumers.”

Subsec. (c). Pub. L. 112–252, §1, struck out subsec. (c). Text read as follows: “The Secretary shall prescribe regulations that require passenger motor vehicle dealers to distribute to prospective buyers information the Secretary develops and provides to the dealers that compares insurance costs for different makes and models of passenger motor vehicles based on damage susceptibility and crashworthiness.”

2012—Subsec. (a)(2). Pub. L. 112–141, §31305(b)(1), inserted “, crash avoidance, and any other areas the Secretary determines will improve the safety of passenger motor vehicles” after “crashworthiness”.

Subsec. (a)(4). Pub. L. 112–141, §31305(b)(2), struck out par. (4) which read as follows: “vehicle operating costs dependent on the characteristics referred to in clauses (1)–(3) of this subsection, including insurance information obtained under section 32303 of this title.”

Subsec. (d). Pub. L. 112–141, §31306, added subsec. (d).

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.

REGULATIONS

Pub. L. 112–252, §1, Jan. 10, 2013, 126 Stat. 2406, provided in part that: “any regulations promulgated under such subsection [former subsec. (c) of this section] shall have no force or effect.”

CONSUMER GUIDANCE

Pub. L. 114–94, div. B, title XXIV, §24103(d), Dec. 4, 2015, 129 Stat. 1703, provided that: “Not later than 1 year after the date of enactment of this Act [Dec. 4, 2015], the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

“(1) a detailed explanation of what information a consumer should include in a complaint; and

“(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

“(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

“(B) the length of time a consumer should retain the records described in subparagraph (A).”

DEADLINE FOR REPORT

Pub. L. 112-252, §2(b), Jan. 10, 2013, 126 Stat. 2406, provided that: “The Secretary of Transportation shall carry out the last sentence of section 32302(b) of title 49, United States Code, as added by subsection (a), not later than the date that is 2 years after the date of the enactment of this Act [Jan. 10, 2013].”

§ 32303. Insurance information

(a) GENERAL REPORTS AND INFORMATION REQUIREMENTS.—(1) In carrying out this chapter, the Secretary of Transportation may require an insurer, or a designated agent of the insurer, to make reports and provide the Secretary with information. The reports and information may include accident claim information by make, model, and model year of passenger motor vehicle about the kind and extent of—

- (A) physical damage and repair costs; and
- (B) personal injury.

(2) In deciding which reports and information are to be provided under this subsection, the Secretary shall—

- (A) consider the cost of preparing and providing the reports and information;
- (B) consider the extent to which the reports and information will contribute to carrying out this chapter; and
- (C) consult with State authorities and public and private agencies the Secretary considers appropriate.

(3) To the extent possible, the Secretary shall obtain reports and information under this subsection on a voluntary basis.

(b) REQUESTED INFORMATION ON CRASHWORTHINESS, DAMAGE SUSCEPTIBILITY, AND REPAIR AND PERSONAL INJURY COST.—When requested by the Secretary, an insurer shall give the Secretary information—

- (1) about the extent to which the insurance premiums charged by the insurer are affected by damage susceptibility, crashworthiness, and the cost of repair and personal injury, for each make and model of passenger motor vehicle; and
- (2) available to the insurer about the effect of damage susceptibility, crashworthiness, and the cost of repair and personal injury for each make and model of passenger motor vehicle on the risk incurred by the insurer in insuring that make and model.

(c) DISCLOSURE.—In distributing information received under this section, the Secretary may disclose identifying information about a person that may be an insured, a claimant, a passenger, an owner, a witness, or an individual involved in a motor vehicle accident, only with the consent of the person.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1036.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
32303(a)	15:1945(a)–(d), (g).	Oct. 20, 1972, Pub. L. 92-513, §205, 86 Stat. 958.
32303(b)	15:1945(e).	
32303(c)	15:1945(f).	

In subsection (a), the words “carrying out this chapter” are substituted for “to enable him to carry out the purposes of this subchapter” to eliminate unnecessary words. The word “provide” is substituted for “furnish” for consistency.

In subsection (a)(1), before clause (A), the words “the Secretary of Transportation may require . . . to . . . provide the Secretary with” are substituted for “shall, upon request by the Secretary . . . as the Secretary may reasonably require” to eliminate unnecessary words. The text of 15:1945(g) is omitted as surplus because of 49:322(a). The word “information” is substituted for “data” for consistency in the section. In clause (A), the words “repair costs” are substituted for “the cost of remedying the damage” to eliminate unnecessary words.

In subsection (a)(2)(C), the words “State authorities and public and private agencies” are substituted for “such State and insurance regulatory agencies and other agencies and associations, both public and private” for consistency and to eliminate unnecessary words.

In subsection (b), before clause (1), the word “information” is substituted for “a description of” for consistency in the section. In clause (1), the word “premiums” is substituted for “rates or premiums” because it is inclusive. In clause (2), the words “by the insurer” are added for clarity.

In subsection (c), the words “identifying information” are substituted for “the name of, or other identifying information”, and the words “a witness, or an individual involved” are substituted for “a driver, an injured person, a witness, or otherwise involved” to eliminate unnecessary words. The word “accident” is substituted for “crash or collision” for consistency in this section. The words “so named or otherwise identified” are omitted as surplus.

§ 32304. Passenger motor vehicle country of origin labeling

(a) DEFINITIONS.—In this section—

(1) “allied supplier” means a supplier of passenger motor vehicle equipment that is wholly owned by the manufacturer, or if a joint venture vehicle assembly arrangement, a supplier that is wholly owned by one member of the joint venture arrangement.

(2)(A) “carline”—

- (i) means a name given a group of passenger motor vehicles that has a degree of commonality in construction such as body and chassis;
- (ii) does not consider a level of decor or opulence; and
- (iii) except for light duty trucks, is not generally distinguished by characteristics such as roof line, number of doors, seats, or windows; and

(B) light duty trucks are different carlines than passenger motor vehicles.

(3) “country of origin”, when referring to the origin of an engine or transmission, means the country from which the largest share of the dollar value added to an engine or transmission has originated—

- (A) with the United States and Canada treated as separate countries; and