

enactment of this Act² to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

- (i) tires sold in the United States; and
- (ii) the needs of consumers in the United States.

(D) APPLICABILITY.—

(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

(d) COORDINATION AMONG REGULATIONS.—

(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

(3) RULEMAKING DEADLINES.—The Secretary shall promulgate—

(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act;² and

(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).

(e) CONSULTATION.—The Secretary shall consult with the Secretary of Energy and the Administrator of the Environmental Protection Agency on the means of conveying tire fuel efficiency consumer information.

(f) REPORT TO CONGRESS.—The Secretary shall conduct periodic assessments of the rules promulgated under this section to determine the utility of such rules to consumers, the level of cooperation by industry, and the contribution to national goals pertaining to energy consumption. The Secretary shall transmit periodic reports detailing the findings of such assessments to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce.

(g) TIRE MARKING.—The Secretary shall not require permanent labeling of any kind on a tire for the purpose of tire fuel efficiency information.

(h) APPLICATION WITH STATE AND LOCAL LAWS AND REGULATIONS.—Nothing in this section prohibits a State or political subdivision thereof from enforcing a law or regulation on tire fuel efficiency consumer information that was in effect on January 1, 2006. After a requirement promulgated under this section is in effect, a State or political subdivision thereof may adopt or enforce a law or regulation on tire fuel efficiency consumer information enacted or promulgated after January 1, 2006, if the requirements of that law or regulation are identical to the requirement promulgated under this section. Nothing in this section shall be construed to preempt a

State or political subdivision thereof from regulating the fuel efficiency of tires (including establishing testing methods for determining compliance with such standards) not otherwise preempted under this chapter.

(Added Pub. L. 110-140, title I, §111(a), Dec. 19, 2007, 121 Stat. 1506; amended Pub. L. 114-94, div. B, title XXIV, §24332, Dec. 4, 2015, 129 Stat. 1713.)

REFERENCES IN TEXT

The date of enactment of the Ten-in-Ten Fuel Economy Act, referred to in subsec. (a)(1), (3), is the date of enactment of subtitle A (§§101-113) of title I of Pub. L. 110-140, which was approved Dec. 19, 2007.

The date of enactment of this Act, referred to in subsections. (b)(2)(A), (c)(2)(C), and (d)(3)(A), probably means the date of enactment of Pub. L. 114-94, which added subsections. (b) to (d) and was approved Dec. 4, 2015.

AMENDMENTS

2015—Pub. L. 114-94, §24332(1), which directed insertion of “AND STANDARDS” after “CONSUMER TIRE INFORMATION” in section catchline, was executed by inserting “and standards” after “Consumer tire information”, to reflect the probable intent of Congress.

Subsec. (a). Pub. L. 114-94, §24332(2)(A), substituted “Consumer Tire Information” for “Rulemaking” in heading.

Subsec. (a)(1). Pub. L. 114-94, §24332(2)(B), inserted “(referred to in this section as the ‘Secretary’)” after “Secretary of Transportation”.

Subsecs. (b) to (h). Pub. L. 114-94, §24332(3), (4), added subsections. (b) to (d) and redesignated former subsections. (b) to (e) as (e) to (h), respectively.

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 32305. Information and assistance from other departments, agencies, and instrumentalities

(a) AUTHORITY TO REQUEST.—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. 1040.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32305	15:1943.	Oct. 20, 1972, Pub. L. 92-513, §203, 86 Stat. 957.

In this section, the word “independent” is omitted as surplus.

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.

§ 32306. Personnel

(a) GENERAL AUTHORITY.—In carrying out this chapter, the Secretary of Transportation may—

(1) appoint and fix the pay of employees without regard to the provisions of title 5 governing appointment in the competitive service and chapter 51 and subchapter III of chapter 53 of title 5; and

(2) make contracts with persons for research and preparation of reports.

(b) STATUS OF ADVISORY COMMITTEE MEMBERS.—A member of an advisory committee appointed under section 325 of this title to carry out this chapter is a special United States Government employee under chapter 11 of title 18.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1040.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32306(a)	15:1942 (1st, 2d sentences).	Oct. 20, 1972, Pub. L. 92-513, §202, 86 Stat. 956.
32306(b)	15:1942 (last sentence).	

In subsection (a), before clause (1), the words “his functions under” are omitted as surplus. In clause (1), the words “as he deems necessary” are omitted as surplus. The words “chapter 51 and subchapter III of chapter 53 of title 5” are substituted for “the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates” to eliminate unnecessary words. The text of 15:1942 (1st sentence cl. (2)) is omitted as surplus because of 49:323(b). The text of 15:1942 (1st sentence cl. (4), 2d sentence) is omitted as surplus because of 49:325.

REFERENCES IN TEXT

The provisions of title 5 governing appointment in the competitive service, referred to in subsec. (a)(1), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

§ 32307. Investigative powers

(a) GENERAL AUTHORITY.—In carrying out this chapter, the Secretary of Transportation may—

(1) inspect and copy records of any person at reasonable times;

(2) order a person to file written reports or answers to specific questions, including reports or answers under oath; and

(3) conduct hearings, administer oaths, take testimony, and require (by subpoena or otherwise) the appearance and testimony of witnesses and the production of records the Secretary considers advisable.

(b) WITNESS FEES AND MILEAGE.—A witness summoned under subsection (a) of this section is entitled to the same fee and mileage the witness would have been paid in a court of the United States.

(c) CIVIL ACTIONS TO ENFORCE.—A civil action to enforce a subpoena or order of the Secretary under subsection (a) of this section may be brought in the United States district court for the judicial district in which the proceeding by the Secretary is conducted. The court may punish a failure to obey an order of the court to comply with the subpoena or order of the Secretary as a contempt of court.

(d) CONFIDENTIALITY OF INFORMATION.—Information obtained by the Secretary under this section related to a confidential matter referred to in section 1905 of title 18 may be disclosed

only to another officer or employee of the United States Government for use in carrying out this chapter. This subsection does not authorize information to be withheld from a committee of Congress authorized to have the information.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1040.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32307(a)	15:1944(a)–(c).	Oct. 20, 1972, Pub. L. 92-513, §204, 86 Stat. 957.
32307(b)	15:1944(e).	
32307(c)	15:1944(d).	
32307(d)	15:1944(f).	

In subsection (a), before clause (1), the words “In carrying out this chapter” are substituted for “For the purpose of carrying out the provisions of this subchapter”, “In order to carry out the provisions of this subchapter”, and “relating to any function of the Secretary under this subchapter” for consistency. The words “or on the authorization of the Secretary, any officer or employee of the Department of Transportation” and “or his duly authorized agent” are omitted as surplus because of 49:322(b). In clause (1), the words “inspect and copy” are substituted for “have access to, and for the purposes of examination the right to copy”, and the word “records” is substituted for “documentary evidence” and “materials and information”, for consistency and to eliminate unnecessary words. The words “relevant to the study authorized by this subchapter” are omitted as surplus. In clause (2), the word “order” is substituted for “require, by general or special orders” to eliminate unnecessary words. The words “in such form as the Secretary may prescribe” and “shall be filed with the Secretary within such reasonable period as the Secretary may prescribe” are omitted as surplus because of 49:322(a). In clause (3), the words “sit and act at such times and places” are omitted as being included in “conduct hearings”.

In subsection (c), the words “A civil action to enforce a subpoena or order of the Secretary under subsection (a) of this section may be brought in the United States district court for the judicial district in which the proceeding by the Secretary is conducted” are substituted for 15:1944(d) (words before semicolon) for consistency in the revised title and to eliminate unnecessary words.

In subsection (d), the words “reported to or otherwise” are omitted as surplus. The words “or such officer or employee” are omitted for consistency with subsection (a) of this section. The words “related to a confidential matter referred to” are substituted for “contains or relates to a trade secret or other matter referred to” to eliminate unnecessary words. The words “a committee of Congress authorized to have the information” are substituted for “the duly authorized committees of the Congress” for clarity.

§ 32308. General prohibitions, civil penalty, and enforcement

(a) PROHIBITIONS.—A person may not—

(1) fail to provide the Secretary of Transportation with information requested by the Secretary in carrying out this chapter; or

(2) fail to comply with applicable regulations prescribed by the Secretary in carrying out this chapter.

(b) CIVIL PENALTY.—(1) A person that violates subsection (a) of this section is liable to the United States Government for a civil penalty of not more than \$1,000 for each violation. Each failure to provide information or comply with a regulation in violation of subsection (a) is a sep-