

In subsection (b)(1), the words “Each failure to provide information or comply with a regulation” are substituted for “with respect to each failure or refusal to comply with a requirement thereunder” for clarity.

In subsection (c), the words “The Attorney General may bring a civil action” are substituted for “Upon petition by the Attorney General on behalf of the United States” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.) and to eliminate unnecessary words. The words “and subject to the provisions of rule 65(a) and (b) of the Federal Rules of Civil Procedure” are omitted as surplus because the rules apply in the absence of an exception from them.

Subsection (d) is substituted for 15:1947 (last sentence) and 1948(c) for clarity and consistency in this part by restating 15:1917(c)(3) and (4).

AMENDMENTS

2007—Subsecs. (c) to (e). Pub. L. 110-140 added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

EFFECTIVE DATE OF 2007 AMENDMENT

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

§ 32309. Civil penalty for labeling violations

(a) DEFINITIONS.—The definitions in section 32304 of this title apply to this section.

(b) PENALTIES.—A manufacturer of a passenger motor vehicle distributed in commerce for sale in the United States that willfully fails to attach the label required under section 32304 of this title to a new passenger motor vehicle that the manufacturer manufactures or imports, or a dealer that fails to maintain that label as required under section 32304, is liable to the United States Government for a civil penalty of not more than \$1,000 for each violation. Each failure to attach or maintain that label for each vehicle is a separate violation.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1042; Pub. L. 103-429, §6(31), Oct. 31, 1994, 108 Stat. 4380.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32309(a) and 32309(b) with source 15:1950(e) and Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §210(e); added Oct. 6, 1992, Pub. L. 102-388, §355, 106 Stat. 1557.

Subsection (a) is added to ensure that the definitions in 15:1950(f), restated in section 32304 of the revised title, apply to the source provision restated in this section.

In subsection (b), the words “Each failure to attach or maintain that label” are substituted for “Such failure” for clarity.

PUB. L. 103-429

This amends the catchline for 49:32309 to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 1042).

AMENDMENTS

1994—Pub. L. 103-429 substituted “Civil” for “Criminal” in section catchline.

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.

CHAPTER 325—BUMPER STANDARDS

Table with 2 columns: Sec., Purpose. Rows include 32501 Purpose, 32502 Bumper standards, 32503 Judicial review of bumper standards, 32504 Certificates of compliance, 32505 Information and compliance requirements, 32506 Prohibited acts, 32507 Penalties and enforcement, 32508 Civil actions by owners of passenger motor vehicles, 32509 Information and assistance from other departments, agencies, and instrumentalities, [32510 Repealed.], 32511 Relationship to other motor vehicle standards.

AMENDMENTS

1998—Pub. L. 105-362, title XV, §1501(e)(2), Nov. 10, 1998, 112 Stat. 3295, struck out item 32510 “Annual report”.

§ 32501. Purpose

The purpose of this chapter is to reduce economic loss resulting from damage to passenger motor vehicles involved in motor vehicle accidents by providing for the maintenance and enforcement of bumper standards.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1042.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32501 with source 15:1911 and Oct. 20, 1972, Pub. L. 92-513, §101, 86 Stat. 948.

The words “The Congress finds that it is necessary” are omitted as surplus. The word “maintenance” is substituted for “promulgation” for clarity.

§ 32502. Bumper standards

(a) GENERAL REQUIREMENTS AND NONAPPLICATION.—The Secretary of Transportation shall prescribe by regulation bumper standards for passenger motor vehicles and may prescribe by regulation bumper standards for passenger motor vehicle equipment manufactured in, or imported into, the United States. A standard does not apply to a passenger motor vehicle or passenger motor vehicle equipment—

- (1) intended only for export;
(2) labeled for export on the vehicle or equipment and the outside of any container of the vehicle or equipment; and
(3) exported.

(b) LIMITATIONS.—A standard under this section—

- (1) may not conflict with a motor vehicle safety standard prescribed under chapter 301 of this title;
(2) may not specify a dollar amount for the cost of repairing damage to a passenger motor vehicle; and
(3) to the greatest practicable extent, may not preclude the attachment of a detachable hitch.