

(A) the effect of any retrofit device on fuel economy;

(B) the effect of the device on emissions of air pollutants; and

(C) any other information the Administrator determines to be relevant in evaluating the device.

(2) The summary and conclusions shall also be submitted to the Secretary of Transportation and the Commission.

(e) REGULATIONS ESTABLISHING TESTS AND PROCEDURES FOR EVALUATION OF RETROFIT DEVICES.—The Administrator shall prescribe regulations establishing—

(1) testing and other procedures for evaluating the extent to which retrofit devices affect fuel economy and emissions of air pollutants; and

(2) criteria for evaluating the accuracy of fuel economy representations made with respect to retrofit devices.

(Pub. L. 103-429, §6(43)(B), Oct. 31, 1994, 108 Stat. 4382.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32918, 15:2011, Oct. 20, 1972, Pub. L. 92-513, §511, as added Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 915, and amended July 5, 1994, Pub. L. 103-272, §4(c), 108 Stat. 1361.

This restates 15:2011 to include 15:2011 in the scope of the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 745).

In subsection (a), the words "Administrator of the Environmental Protection Agency" are substituted for "Administrator" for clarity and to conform to the style of the codification which is to state the complete title the first time a descriptive title is used, and thereafter, to use a shorter title unless the context requires the complete title to be used.

In subsections (c) and (e), the word "regulations" is substituted for "rules" and "by rule" for consistency with the restatement of title 49.

In subsection (e)(1), the words "The Administrator shall prescribe regulations establishing" are substituted for "Within 180 days after December 22, 1975, the Administrator shall, by rule, establish" to eliminate executed words.

PRIOR PROVISIONS

A prior section 32918 was renumbered section 32919 of this title.

§ 32919. Preemption

(a) GENERAL.—When an average fuel economy standard prescribed under this chapter is in effect, a State or a political subdivision of a State may not adopt or enforce a law or regulation related to fuel economy standards or average fuel economy standards for automobiles covered by an average fuel economy standard under this chapter.

(b) REQUIREMENTS MUST BE IDENTICAL.—When a requirement under section 32908 of this title is in effect, a State or a political subdivision of a State may adopt or enforce a law or regulation on disclosure of fuel economy or fuel operating costs for an automobile covered by section 32908 only if the law or regulation is identical to that requirement.

(c) STATE AND POLITICAL SUBDIVISION AUTOMOBILES.—A State or a political subdivision of a State may prescribe requirements for fuel economy for automobiles obtained for its own use.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1075, §32918; renumbered §32919, Pub. L. 103-429, §6(43)(A), Oct. 31, 1994, 108 Stat. 4382.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 32918, 15:2009, Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §509; added Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 914.

In subsection (a), the word "prescribed" is substituted for "established" for consistency.

AMENDMENTS

1994—Pub. L. 103-429 renumbered section 32918 of this title as this section.

CHAPTER 331—THEFT PREVENTION

- Sec. 33101. Definitions. 33102. Theft prevention standard for high theft lines. 33103. Theft prevention standard for other lines. 33104. Designation of high theft vehicle lines and parts. 33105. Cost limitations. 33106. Exemption for passenger motor vehicles equipped with anti-theft devices. 33107. Voluntary vehicle identification standards. 33108. Monitoring compliance of manufacturers. 33109. National Stolen Passenger Motor Vehicle Information System. 33110. Verifications involving junk and salvage motor vehicles. 33111. Verifications involving motor vehicle major parts. [33112. Repealed.] 33113. Theft reports. 33114. Prohibited acts. 33115. Civil penalties and enforcement. 33116. Confidentiality of information. 33117. Judicial review. 33118. Preemption of State and local law.

AMENDMENTS

2012—Pub. L. 112-141, div. C, title I, §31313(1), July 6, 2012, 126 Stat. 772, struck out item 33112 "Insurance reports and information".

§ 33101. Definitions

In this chapter—

(1) "chop shop" means a building, lot, facility, or other structure or premise at which at least one person engages in receiving, concealing, destroying, disassembling, dismantling, reassembling, or storing a passenger motor vehicle or passenger motor vehicle part that has been unlawfully obtained—

(A) to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, or remove the identity of the vehicle or part, including the vehicle identification number or a derivative of that number; and

(B) to distribute, sell, or dispose of the vehicle or part in interstate or foreign commerce.

(2) "covered major part" means a major part selected under section 33104 of this title for

coverage by the vehicle theft prevention standard prescribed under section 33102 or 33103 of this title.

(3) “existing line” means a line introduced into commerce before January 1, 1990.

(4) “first purchaser” means the person making the first purchase other than for resale.

(5) “line” means a name that a manufacturer of motor vehicles applies to a group of motor vehicle models of the same make that have the same body or chassis, or otherwise are similar in construction or design.

(6) “major part” means—

- (A) the engine;
- (B) the transmission;
- (C) each door to the passenger compartment;
- (D) the hood;
- (E) the grille;
- (F) each bumper;
- (G) each front fender;
- (H) the deck lid, tailgate, or hatchback;
- (I) each rear quarter panel;
- (J) the trunk floor pan;
- (K) the frame or, for a unitized body, the supporting structure serving as the frame; and
- (L) any other part of a passenger motor vehicle that the Secretary of Transportation by regulation specifies as comparable in design or function to any of the parts listed in subclauses (A)–(K) of this clause.

(7) “major replacement part” means a major part that is—

- (A) an original major part in or on a completed motor vehicle and customized or modified after manufacture of the vehicle but before the time of its delivery to the first purchaser; or
- (B) not installed in or on a motor vehicle at the time of its delivery to the first purchaser and the equitable or legal title to the vehicle has not been transferred to a first purchaser.

(8) “model year” has the same meaning given that term in section 32901(a) of this title.

(9) “new line” means a line introduced into commerce after December 31, 1989.

(10) “passenger motor vehicle” includes a multipurpose passenger vehicle or light duty truck when that vehicle or truck is rated at not more than 6,000 pounds gross vehicle weight.

(11) “vehicle theft prevention standard” means a minimum performance standard for identifying major parts of new motor vehicles and major replacement parts by inscribing or affixing numbers or symbols on those parts.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1076; Pub. L. 103–429, §6(44), Oct. 31, 1994, 108 Stat. 4383; Pub. L. 104–287, §6(d)(1)(B), Oct. 11, 1996, 110 Stat. 3399.)

HISTORICAL AND REVISION NOTES
PUB. L. 103–272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
33101(1)	15:2021(11).	Oct. 20, 1972, Pub. L. 92–513, 86 Stat. 947, §601(11); added Oct. 25, 1992, Pub. L. 102–519, §301(b), 106 Stat. 3394.

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.

¹ See References in Text note below.