

§ 6004. Standards

(a) In general

Bicycle helmets manufactured 9 months or more after June 16, 1994, shall conform to—

- (1) any interim standard described under subsection (b), pending the establishment of a final standard pursuant to subsection (c); and
- (2) the final standard, once it has been established under subsection (c).

(b) Interim standards

The interim standards are as follows:

- (1) The American National Standards Institute standard designated as “Z90.4-1984”.
- (2) The Snell Memorial Foundation standard designated as “B-90”.
- (3) The American Society for Testing and Materials (ASTM) standard designated as “F 1447”.
- (4) Any other standard that the Commission determines is appropriate.

(c) Final standard

Not later than 60 days after June 16, 1994, the Commission shall begin a proceeding under section 553 of title 5 to—

- (1) review the requirements of the interim standards set forth in subsection (a) and establish a final standard based on such requirements;
- (2) include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;
- (3) include in the final standard provisions that address the risk of injury to children; and
- (4) include additional provisions as appropriate.

Sections 7, 9, and 30(d)¹ of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, 2079(d)) shall not apply to the proceeding under this subsection and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding. The final standard shall take effect 1 year from the date it is issued.

(d) Failure to meet standards

(1) Failure to meet interim standard

Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection (a)(1) shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act [15 U.S.C. 2051 et seq.].

(2) Status of final standard

The final standard developed under subsection (c) shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

(Pub. L. 103-267, title II, §205, June 16, 1994, 108 Stat. 727.)

Editorial Notes

REFERENCES IN TEXT

Section 30(d) of the Consumer Product Safety Act, referred to in subsec. (c), was classified to section 2079(d)

¹ See References in Text note below.

of this title prior to repeal by Pub. L. 110-314, title II, §237, Aug. 14, 2008, 122 Stat. 3076.

The Consumer Product Safety Act, referred to in subsec. (d), is Pub. L. 92-573, Oct. 27, 1972, 86 Stat. 1207, as amended, which is classified generally to chapter 47 (§2051 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2051 of this title and Tables.

§ 6005. Authorization of appropriations

For the National Highway Traffic Safety Administration to carry out the grant program authorized by this chapter, there are authorized to be appropriated \$2,000,000 for fiscal year 1995, \$3,000,000 for fiscal year 1996, and \$4,000,000 for fiscal year 1997.

(Pub. L. 103-267, title II, §206, June 16, 1994, 108 Stat. 728.)

§ 6006. “Approved bicycle helmet” defined

In this chapter, the term “approved bicycle helmet” means a bicycle helmet that meets—

- (1) any interim standard described in section 6004(b) of this title, pending establishment of a final standard under section 6004(c) of this title; and
- (2) the final standard, once it is established under section 6004(c) of this title.

(Pub. L. 103-267, title II, §207, June 16, 1994, 108 Stat. 728.)

CHAPTER 87—TELEMARKETING AND CONSUMER FRAUD AND ABUSE PREVENTION

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§ 6101. Findings

The Congress makes the following findings:

- (1) Telemarketing differs from other sales activities in that it can be carried out by sellers across State lines without direct contact with the consumer. Telemarketers also can be very mobile, easily moving from State to State.
- (2) Interstate telemarketing fraud has become a problem of such magnitude that the resources of the Federal Trade Commission are not sufficient to ensure adequate consumer protection from such fraud.
- (3) Consumers and others are estimated to lose \$40 billion a year in telemarketing fraud.
- (4) Consumers are victimized by other forms of telemarketing deception and abuse.
- (5) Consequently, Congress should enact legislation that will offer consumers necessary protection from telemarketing deception and abuse.

(Pub. L. 103-297, §2, Aug. 16, 1994, 108 Stat. 1545.)

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2001 AMENDMENT

Pub. L. 107-56, title X, §1011(a), Oct. 26, 2001, 115 Stat. 396, provided that: “This section [amending sections