

**NHTSA-RELATED  
MOTOR VEHICLE SAFETY PROVISIONS IN SAFETEA-LU, AS ENACTED  
(Aug. 10, 2005; P.L. 109-59)**

**TITLE X--MISCELLANEOUS PROVISIONS**

**Subtitle B--Other Miscellaneous Provisions**

SEC. 10208. RENTED OR LEASED MOTOR VEHICLES.

(a) In General.--Subchapter I <<NOTE: 49 USC 30101.>> of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

``Sec. 30106. Rented or leased motor vehicle safety and responsibility

``(a) In General.--An owner of a motor vehicle that rents or leases the vehicle to a person (or an affiliate of the owner) shall not be liable under the law of any State or political subdivision thereof, by reason of being the owner of the vehicle (or an affiliate of the owner), for harm to persons or property that results or arises out of the use, operation, or possession of the vehicle during the period of the rental or lease, if--

``(1) the owner (or an affiliate of the owner) is engaged in the trade or business of renting or leasing motor vehicles; and

``(2) there is no negligence or criminal wrongdoing on the part of the owner (or an affiliate of the owner).

``(b) Financial Responsibility Laws.--Nothing in this section supersedes the law of any State or political subdivision thereof--

``(1) imposing financial responsibility or insurance standards on the owner of a motor vehicle for the privilege of registering and operating a motor vehicle; or

``(2) imposing liability on business entities engaged in the trade or business of renting or leasing motor vehicles for failure to meet the financial responsibility or liability insurance requirements under State law.

``(c) Applicability and Effective Date.--Notwithstanding any other provision of law, this section shall apply with respect to any action commenced on or after the date of enactment of this section without regard to whether the harm that is the subject of the action, or the conduct that caused the harm, occurred before such date of enactment.

``(d) Definitions.--In this section, the following definitions apply:

``(1) Affiliate.--The term `affiliate' means a person other than the owner that directly or indirectly controls, is controlled by, or is under common control with the owner. In the preceding sentence, the term `control' means the power to direct the management and policies of a person whether through

ownership of voting securities or otherwise.

“(2) Owner.--The term ‘owner’ means a person who is--

“(A) a record or beneficial owner, holder of title, lessor, or lessee of a motor vehicle;

“(B) entitled to the use and possession of a motor vehicle subject to a security interest in another person; or

“(C) a lessor, lessee, or a bailee of a motor vehicle, in the trade or business of renting or leasing motor vehicles,

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having the use or possession thereof, under a lease, bailment, or otherwise.

“(3) Person.--The term ‘person’ means any individual, corporation, company, limited liability company, trust, association, firm, partnership, society, joint stock company, or any other entity.”.

(b) Clerical Amendment.--The analysis for such chapter is amended by inserting after the item relating to section 30105 the following:

“30106. Rented or leased motor vehicle safety and responsibility.”.

### **Subtitle C--Specific Vehicle Safety-related Rulings**

Sec. 10301. Vehicle rollover prevention and crash mitigation.

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Sec. 10302. Side-impact crash protection rulemaking.

Sec. 10303. Tire research.

Sec. 10304. Vehicle backover avoidance technology study.

Sec. 10305. Nontraffic incident data collection.

Sec. 10306. Study of safety belt use technologies.

Sec. 10307. Amendment of Automobile Information Disclosure Act.

Sec. 10308. Power window switches.

Sec. 10309. 15-Passenger van safety.

Sec. 10310. Authorization of appropriations.

Subtitle C--Specific Vehicle Safety-related Rulings

SEC. 10301. VEHICLE ROLLOVER PREVENTION AND CRASH MITIGATION.

(a) In General.--Subchapter II of chapter 301 is amended by adding at the end the following:

``Sec. 30128. <<NOTE: 49 USC 30128.>> Vehicle rollover prevention and crash mitigation

``(a) In General.--The Secretary shall initiate rulemaking proceedings, for the purpose of establishing rules or standards that will reduce vehicle rollover crashes and mitigate deaths and injuries associated with such crashes for motor vehicles with a gross vehicle weight rating of not more than 10,000 pounds.

``(b) Rollover Prevention.--One of the rulemaking proceedings initiated under subsection (a) shall be to establish performance criteria to reduce the occurrence of rollovers consistent with stability enhancing technologies. <<NOTE: Deadlines.>> The Secretary shall issue a proposed rule in this proceeding by rule by October 1, 2006, and a final rule by April 1, 2009.

``(c) <<NOTE: Deadlines.>> Occupant Ejection Prevention.--

``(1) In general.--The Secretary shall also initiate a rulemaking proceeding to establish performance standards to reduce complete and partial ejections of vehicle occupants from outboard seating positions. In formulating the standards the Secretary shall consider various ejection mitigation systems. The Secretary shall issue a final rule under this paragraph no later than October 1, 2009.

``(2) Door locks and door retention.--The Secretary shall complete the rulemaking proceeding initiated to upgrade Federal Motor Vehicle Safety Standard No. 206, relating to door locks and door retention, no later than 30 months after the date of enactment of this section.

``(d) Protection of Occupants.--One of the rulemaking proceedings initiated under subsection (a) shall be to establish performance criteria to upgrade Federal Motor Vehicle Safety Standard No. 216 relating to roof strength for driver and passenger sides. The Secretary may consider industry and independent dynamic tests that realistically duplicate the actual forces transmitted during a rollover crash. The Secretary shall issue a <<NOTE: Deadlines.>> proposed rule by December 31, 2005, and a final rule by July 1, 2008.

``(e) Deadlines.--If the Secretary determines that the deadline for a final rule under this section cannot be met, the Secretary shall--

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``(1) <<NOTE: Notification.>> notify the Senate Committee on

Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce and explain why that deadline cannot be met; and  
 ``(2) establish a new deadline.".

SEC. 10302. <<NOTE: 49 USC 30101 note.>> SIDE-IMPACT CRASH PROTECTION RULEMAKING.

(a) Rulemaking.--The Secretary shall complete a rulemaking proceeding under chapter 301 of title 49, United States Code, to establish a standard designed to enhance passenger motor vehicle occupant protection, in all seating positions, in side impact crashes. The <<NOTE: Deadline.>> Secretary shall issue a final rule by July 1, 2008.

(b) Deadlines.--If the Secretary determines that the deadline for a final rule under this section cannot be met, the Secretary shall--  
 (1) <<NOTE: Notification.>> notify the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce and explain why that deadline cannot be met; and  
 (2) establish a new deadline.

SEC. 10303. <<NOTE: Deadlines. Reports.>> TIRE RESEARCH.

Within 2 years after the date of enactment of this Act, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce on research conducted to address tire aging. The report shall include a summary of any Federal agency findings, activities, conclusions, and recommendations concerning tire aging and recommendations for potential rulemaking regarding tire aging.

(a) Conforming Amendment.--The chapter analysis for chapter 301 is amended by inserting after the item relating to section 30127 the following:

``30128. Vehicle accident ejection protection.".

SEC. 10304. <<NOTE: 49 USC 30101 note.>> VEHICLE BACKOVER AVOIDANCE TECHNOLOGY STUDY.

(a) In General.--The Administrator of the National Highway Traffic Safety Administration shall conduct a study of effective methods for reducing the incidence of injury and death outside of parked passenger motor vehicles with a gross vehicle weight rating of not more than 10,000 pounds attributable to movement of such vehicles. <<NOTE: Reports. Deadlines.>> The Administrator shall complete the study within 1 year after the date of enactment of this Act and report its findings to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce not later than 15 months after the date of enactment of this

Act.

(b) Specific Issues To Be Covered.--The study required by subsection (a) shall--

- (1) include an analysis of backover prevention technology;
- (2) identify, evaluate, and compare the available technologies for detecting people or objects behind a motor vehicle with a gross vehicle weight rating of not more than 10,000 pounds for their accuracy, effectiveness, cost, and feasibility for installation; and

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(3) provide an estimate of cost savings that would result from widespread use of backover prevention devices and technologies in motor vehicles with a gross vehicle weight rating of not more than 10,000 pounds, including savings attributable to the prevention of--

- (A) injuries and fatalities; and
- (B) damage to bumpers and other motor vehicle parts and damage to other objects.

#### SEC. 10305. <<NOTE: 49 USC 30101 note.>> NONTRAFFIC INCIDENT DATA COLLECTION.

(a) In General.--In conjunction with the study required in section 10304, the National Highway Traffic Safety Administration shall establish a method to collect and maintain data on the number and types of injuries and deaths involving motor vehicles with a gross vehicle weight rating of not more than 10,000 pounds in non-traffic incidents.

(b) Data Collection and Publication.--The Secretary of Transportation shall publish the data collected under subsection (a) no less frequently than biennially.

#### SEC. 10306. STUDY OF SAFETY BELT USE TECHNOLOGIES.

The Secretary shall conduct a review of safety belt use technologies to consider possible revisions in strategies for achieving further gains in safety belt use. The Secretary shall complete the study by July 1, 2008.

#### SEC. 10307. AMENDMENT OF AUTOMOBILE INFORMATION DISCLOSURE ACT.

(a) Safety Labeling Requirement.--Section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232) is amended--

- (1) by striking ``and" after the semicolon in subsection (e);
- (2) by inserting ``and" after the semicolon in subsection (f)(3);
- (3) by striking ``(3)." in subsection (f)(4) and inserting ``(3);" and

(4) by adding at the end the following:

“(g) if one or more safety ratings for such automobile have been assigned and formally published or released by the National Highway Traffic Safety Administration under the New Car Assessment Program, information about safety ratings that--

“(1) includes a graphic depiction of the number of stars, or other applicable rating, that corresponds to each such assigned safety rating displayed in a clearly differentiated fashion indicating the maximum possible safety rating;

“(2) refers to frontal impact crash tests, side impact crash tests, and rollover resistance tests (whether or not such automobile has been assigned a safety rating for such tests);

“(3) contains information describing the nature and meaning of the crash test data presented and a reference to additional vehicle safety resources, including <http://www.safercar.gov>; and

“(4) is presented in a legible, visible, and prominent fashion and covers at least--

“(A) 8 percent of the total area of the label; or

“(B) an area with a minimum length of 4½ inches and a minimum height of 3½ inches; and

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“(h) if an automobile has not been tested by the National Highway Traffic Safety Administration under the New Car Assessment Program, or safety ratings for such automobile have not been assigned in one or more rating categories, a statement to that effect.”.

(b) <<NOTE: Deadline. 15 USC 1232 note.>> Regulations.--The Secretary of Transportation shall issue regulations to ensure that the labeling requirements under subsections (g) and (h) of section 3 of the Automobile Information Disclosure Act, as added by subsection (a), are implemented by September 1, 2007.

(c) Authorization of Appropriations.--There are authorized to be appropriated to the Secretary of Transportation, to accelerate the testing processes and increasing the number of vehicles tested under the New Car Assessment Program of the National Highway Traffic Safety Administration--

(1) \$15,000,000 for fiscal year 2006;

(2) \$8,134,065 for fiscal year 2007;

(3) \$8,418,760 for fiscal year 2008;

(4) \$8,713,410 for fiscal year 2009; and

(5) \$9,018,385 for fiscal year 2010.

#### SEC. 10308. POWER WINDOW SWITCHES.

The Secretary shall upgrade Federal Motor Vehicle Safety Standard 118 to require that power windows in motor vehicles not in excess of 10,000 pounds have switches that raise the window only when the switch is pulled up or out. <<NOTE: Deadline.>> The Secretary shall issue a

final rule implementing this section by April 1, 2007.

SEC. 10309. <<NOTE: 49 USC 30117.>> 15-PASSENGER VAN SAFETY.

(a) Testing.--

(1) In general.--The Secretary of Transportation shall require the testing of 15-passenger vans as part of the rollover resistance program of the National Highway Traffic Safety Administration's new car assessment program.

(2) 15-passenger van defined.--In this subsection, the term "15-passenger van" means a vehicle that seats 10 to 14 passengers, not including the driver.

(b) <<NOTE: 49 USC 30112.>> Prohibition of Purchase, Rental, or Lease of Noncomplying 15-Passenger Vans for School Use.--Section 30112(a) is amended--

- (1) by inserting "(1)" before "Except as provided"; and
- (2) by adding at the end the following:

"(2) Except as provided in this section, sections 30113 and 30114 of this title, and subchapter III of this chapter, a school or school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school or school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the motor vehicle standards prescribed for school buses and multifunction school activity buses under this title. This paragraph does not apply to the purchase or lease of a 15-passenger van under a contract executed before the date of enactment of this paragraph."

(c) <<NOTE: 49 USC 30165.>> Penalty.--Section 30165(a) is amended--

- (1) by redesignating paragraph (2) as paragraph (3); and
- (2) by inserting after paragraph (1) the following:

"(2) School buses.--

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"(A) In general.--Notwithstanding paragraph (1), the maximum amount of a civil penalty under this paragraph shall be \$10,000 in the case of--

"(i) the manufacture, sale, offer for sale, introduction or delivery for introduction into interstate commerce, or importation of a school bus or school bus equipment (as those terms are defined in section 30125(a) of this title) in violation of section 30112(a)(1) of this title; or

"(ii) a violation of section 30112(a)(2) of this title.

"(B) Related series of violations.--A separate violation occurs for each motor vehicle or item of motor vehicle equipment and for each failure or refusal to allow or perform an act required by that section. The

maximum penalty under this paragraph for a related series of violations is \$15,000,000."

SEC. 10310. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this subtitle, chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code--

- (1) \$136,000,000 for fiscal year 2006;
- (2) \$142,800,000 for fiscal year 2007;
- (3) \$149,900,000 for fiscal year 2008; and
- (4) \$157,400,000 for fiscal year 2009.