

106TH CONGRESS  
2D SESSION

# H. R. 5164

To amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2000

Mr. UPTON (for himself, Mr. TAUZIN, Mr. MARKEY, Mrs. WILSON, Mr. BOUCHER, Mr. WHITFIELD, Mr. GREEN of Texas, Mr. ROGAN, Mr. WAXMAN, Mr. BILBRAY, Mr. FOSSELLA, Mr. GORDON, Ms. DEGETTE, Mr. LUTHER, Ms. ESHOO, and Ms. MCCARTHY of Missouri) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transportation Recall  
5 Enhancement, Accountability, and Documentation Act”.

1 **SEC. 2. REPORTING OF DEFECTS IN MOTOR VEHICLES IN**  
2 **FOREIGN COUNTRIES.**

3 Section 30118 of title 49, United States Code, is  
4 amended by adding at the end the following:

5 “(f) REPORTING OF DEFECTS IN MOTOR VEHICLES  
6 AND PRODUCTS IN FOREIGN COUNTRIES.—

7 “(1) REPORTING OF DEFECTS.—

8 “(A) MANUFACTURER DETERMINATION.—

9 Not later than 5 days after determining to con-  
10 duct a safety recall or other safety campaign in  
11 a foreign country on a motor vehicle, tire, or  
12 motor vehicle equipment that is also offered for  
13 sale in the United States, the manufacturer  
14 shall report the determination to the Secretary.

15 “(B) FOREIGN GOVERNMENT DETERMINA-  
16 TION.—Not later than 5 days after receiving  
17 notification that the government of a foreign  
18 country has determined that a safety recall or  
19 other safety campaign must be conducted in the  
20 foreign country on a motor vehicle, tire, or  
21 motor vehicle equipment that is also offered for  
22 sale in the United States, the manufacturer  
23 shall report the determination to the Secretary.

24 “(C) REPORTING REQUIREMENTS.—The  
25 Secretary shall prescribe the contents of the no-  
26 tification required by this paragraph.

1           “(2) REPORTING OF POSSIBLE DEFECTS.—  
2           Upon making a determination that there have been  
3           a significant number of serious injuries or fatalities  
4           in a foreign country caused by a defect in a motor  
5           vehicle, tire, or motor vehicle equipment that is also  
6           offered for sale in the United States that could be  
7           related to motor vehicle safety (as determined in ac-  
8           cordance with regulations promulgated by the Sec-  
9           retary), the manufacturer of the United States  
10          motor vehicle, tire, or motor vehicle equipment shall  
11          report the determination to the Secretary in such  
12          manner as the Secretary establishes by regulation.”.

13 **SEC. 3. TIRE MANUFACTURER REPORTING.**

14          The Administrator of the National Highway Traffic  
15          Safety Administration shall promulgate a rule requiring  
16          manufacturers of tires to report periodically to the Admin-  
17          istration data on claims submitted to the manufacturer  
18          for personal injury (including death) and property damage  
19          from alleged defects in the manufacturer’s tires. The rule  
20          shall prescribe the rate at which such reports shall be  
21          made.

22 **SEC. 4. REMEDIES WITHOUT CHARGE.**

23          Section 30120(g)(1) of title 49, United States Code,  
24          is amended by striking “3 calendar years” and inserting  
25          “5 calendar years”.

1 **SEC. 5. CIVIL PENALTIES.**

2 Section 30165 of title 49, United States Code, is  
3 amended—

4 (1) in the first sentence by—

5 (A) inserting “(1)” after “PENALTY.—”;

6 (B) inserting “or” after “30127,”

7 (C) striking “or 30166”; and

8 (D) striking “\$1,000” and inserting  
9 “\$5,000”;

10 (2) in the third sentence, by striking “sub-  
11 section” and inserting “paragraph” and by striking  
12 “\$800,000” and inserting “\$4,000,000”; and

13 (3) by adding at the end the following:

14 “(2) A person who violates section 30166 or a regula-  
15 tion prescribed under that section is liable to the United  
16 States for a civil penalty for failing or refusing to allow  
17 or perform an act required under that section or regula-  
18 tion. The maximum penalty under this paragraph is  
19 \$5,000 per violation per day. The maximum penalty under  
20 this paragraph for a related series of daily violations is  
21 \$500,000.”.

22 **SEC. 6. ENDURANCE AND RESISTANCE STANDARDS FOR**  
23 **TIRES.**

24 The Administrator of the National Highway Traffic  
25 Safety Administration shall conduct a rulemaking to re-

1 vise and update the tire standard published at 49 C.F.R.  
2 571.109 and 49 C.F.R. 571.119

3 **SEC. 7. APPROPRIATION FOR OFFICE OF DEFECTS AND IN-**  
4 **VESTIGATION.**

5 There is authorized to be appropriated to the Office  
6 of Defects and Investigation of the National Highway  
7 Traffic Safety Administration \$500,000 for fiscal year  
8 2001.

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