

108TH CONGRESS  
1ST SESSION

# H. R. 1641

To require increased safety testing of 15-passenger vans, ensure the compliance of 15-passenger vans used as schoolbuses with motor vehicle safety standards applicable to schoolbuses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2003

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require increased safety testing of 15-passenger vans, ensure the compliance of 15-passenger vans used as schoolbuses with motor vehicle safety standards applicable to schoolbuses, 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 “Passenger Van Safety  
5 Act of 2003”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) 15-PASSENGER VAN.—The term “15-pas-  
2           senger van” means a van designed or used to carry  
3           9 to 15 passengers, including the driver.

4           (2) SECRETARY.—The term “Secretary” means  
5           the Secretary of Transportation.

## 6           **TITLE I—ENHANCED VAN** 7           **SAFETY**

### 8           **SEC. 101. DYNAMIC ROLLOVER TESTING PROGRAM.**

9           (a) REQUIREMENT FOR ROLLOVER TESTING.—Not  
10          later than 2 years after the date of the enactment of this  
11          Act, the Secretary shall, under Section 30117(c) of title  
12          49, United States Code—

13                 (1) develop a dynamic test on rollovers by 15-  
14                 passenger vans for the purposes of a consumer infor-  
15                 mation program; and

16                 (2) carry out a program of conducting such  
17                 tests.

18          (b) AMENDMENT.—Section 30117(c) of title 49,  
19          United States Code, is amended by—

20                 (1) in paragraph (1), striking “Not later than  
21                 2 years from the date of the enactment of this sub-  
22                 section,”; and

23                 (2) in paragraph (3), after “or less”, inserting  
24                 “, and to vans designed or used to carry 9 to 15

1 passengers, including the driver, irrespective of gross  
2 vehicle weight rating”.

3 **SEC. 102. NEW CAR ASSESSMENT PROGRAM.**

4 The Secretary shall require the testing of 15-pas-  
5 senger vans at various load condition levels as part of the  
6 rollover resistance program of the National Highway Traf-  
7 fic Safety Administration’s New Car Assessment Pro-  
8 gram.

9 **SEC. 103. TESTING AND EVALUATION OF VAN STABILITY**  
10 **TECHNOLOGICAL SYSTEMS.**

11 (a) REQUIREMENT FOR TESTING AND EVALUA-  
12 TION.—The Secretary shall test and evaluate various tech-  
13 nological systems to determine the effectiveness of such  
14 systems in assisting drivers of 15-passenger vans to con-  
15 trol the vans under conditions that cause vehicle rollover.

16 (b) SYSTEMS TESTED.—The technological systems  
17 tested and evaluated under this section shall include elec-  
18 tronic stability control systems, rear-view mirror-based  
19 rollover warning systems, traction systems, lane departure  
20 systems, and antilock brakes.

21 (c) CONSULTATION.—The Secretary shall consult  
22 with manufacturers of 15-passenger vans in the testing  
23 and evaluation of technological systems under this section.

1 **SEC. 104. APPLICATION OF FEDERAL MOTOR CARRIER**  
2 **SAFETY ADMINISTRATION REGULATIONS.**

3 Not later than 180 days after the date of the enact-  
4 ment of this Act, the Secretary shall issue a final rule initi-  
5 ated pursuant to the proposed rulemaking published in the  
6 Federal Register on January 11, 2001, Docket No.  
7 FMCSA–2000–7017, relating to the application of Fed-  
8 eral Motor Carrier Safety Regulations to the commercial  
9 operation of 15-passenger vans.

10 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated such sums  
12 as may be necessary to carry out the provisions of this  
13 title.

14 **TITLE II—APPLICABILITY OF**  
15 **SCHOOL BUS SAFETY STAND-**  
16 **ARDS**

17 **SEC. 201. PROHIBITION ON PURCHASE, RENTAL, OR LEASE**  
18 **OF NONCOMPLYING 15-PASSENGER VANS FOR**  
19 **USE AS SCHOOLBUSES.**

20 (a) PROHIBITION.—Section 30112(a) of title 49,  
21 United States Code, is amended—

22 (1) by inserting “(1)” before “Except as pro-  
23 vided in this section”; and

24 (2) by adding at the end the following:

25 “(2) Except as provided in this section, sections  
26 30113 and 30114 of this title, and subchapter III of this

1 chapter, a person may not purchase, rent, or lease any  
2 motor vehicle designed or used to transport 9 to 15 pas-  
3 sengers that the person knows or reasonably should know  
4 will be used significantly to transport preprimary, pri-  
5 mary, and secondary school students to or from school or  
6 an event related to school, unless the motor vehicle com-  
7 plies with the motor vehicle standards prescribed for  
8 schoolbuses under section 30125 of this title.”.

9 (b) **LIMITATION ON APPLICATION.**—Subsection (a)  
10 shall not apply to any purchase, rental, or lease of a motor  
11 vehicle required under a contract entered into before the  
12 date of the enactment of this Act.

13 **SEC. 202. PENALTY.**

14 Section 30165(a)(1) of title 49, United States Code,  
15 is amended—

16 (1) by striking “A” before “person” and insert-  
17 ing “(A) Except as provided in subparagraph (B) of  
18 this paragraph, a”; and

19 (2) by adding at the end the following:

20 “(B) The maximum amount of a civil penalty  
21 under this paragraph shall be \$25,000, in the case  
22 of—

23 “(i) the manufacture, sale, offer for sale,  
24 introduction or delivery for introduction into  
25 interstate commerce, or importation of a school-

1 bus or schoolbus equipment (as those terms are  
2 defined in section 30125(a) of this title) in vio-  
3 lation of section 30112(a)(1) of this title; or

4 “(ii) a violation of section 30112(a)(2) of  
5 this title.

6 “(C) Subparagraph (B) does not affect the  
7 maximum penalty that may be imposed under sub-  
8 paragraph (A) for a related series of violations.

9 “(D) Notwithstanding section 3302(b) of title  
10 31, penalties collected under subparagraph (B)—

11 “(i) shall be credited as offsetting collec-  
12 tions to the account that funds the enforcement  
13 of subparagraph (B);

14 “(ii) shall be available for expenditure only  
15 to pay the costs of such enforcement; and

16 “(iii) shall remain available until ex-  
17 pended.”.

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