

ment as it applies to collection of a fuel use tax by a single base State and proportional sharing of fuel use taxes charged among the States where a commercial motor vehicle is operated.

(c) LIMITATION.—If the International Fuel Tax Agreement is amended, a State not participating in the Agreement when the amendment is made is not subject to the conformity requirements of subsections (a) and (b) of this section in regard to the amendment until after a reasonable time, but not earlier than the expiration of—

(1) the 365-day period beginning on the first day that States participating in the Agreement are required to comply with the amendment; or

(2) the 365-day period beginning on the day the relevant office of the State receives written notice of the amendment from the Secretary of Transportation.

(d) NONAPPLICATION.—This section does not apply to a State that was participating in the Regional Fuel Tax Agreement on January 1, 1991, and that continues to participate in that Agreement after that date.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1032.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31705, 49:11506 (note), Dec. 18, 1991, Pub. L. 102-240, § 4008(g), 105 Stat. 2154.

In subsection (b), the words “as it applies to” are substituted for “with respect to” for clarity.

In subsection (c), before clause (1), the words “a State not participating in the Agreement when the amendment is made is not subject to the conformity requirements of subsections (a) and (b) of this section in regard to the amendment” are substituted for “conformity by a State that is not participating in such Agreement when such amendment is made may not be required with respect to such amendment” for clarity.

§ 31706. Enforcement

(a) CIVIL ACTIONS.—On request of the Secretary of Transportation, the Attorney General may bring a civil action in a court of competent jurisdiction to enforce compliance with sections 31704 and 31705 of this title.

(b) VENUE.—An action under this section may be brought only in the State in which an order is required to enforce compliance.

(c) RELIEF.—Subject to section 1341 of title 28, the court, on a proper showing—

(1) shall issue a temporary restraining order or a preliminary or permanent injunction; and

(2) may require by the injunction that the State or any person comply with sections 31704 and 31705 of this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1033.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31706, 49:11506 (note), Dec. 18, 1991, Pub. L. 102-240, § 4008(h), 105 Stat. 2155.

In subsection (a), the words “bring a civil action . . . to enforce compliance” are substituted for “commence

. . . a civil action for such injunctive relief as may be appropriate to ensure compliance” for consistency in the revised title and to eliminate unnecessary words.

In subsection (b), the words “an order is required to enforce compliance” are substituted for “relief is required to ensure such compliance” for consistency in the revised title.

§ 31707. Limitations on statutory construction

Sections 31704 and 31705 of this title do not limit the amount of money a State may charge for registration of a commercial motor vehicle or the amount of any fuel use tax a State may impose.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1033.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31707, 49:11506 (note), Dec. 18, 1991, Pub. L. 102-240, § 4008(i), 105 Stat. 2155.

[§ 31708. Repealed. Pub. L. 105–178, title IV, § 4013, June 9, 1998, 112 Stat. 409]

Section, Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1033, related to authorization of appropriations for working group under section 31702 of this title and for grants under section 31703 of this title.

PART C—INFORMATION, STANDARDS, AND REQUIREMENTS

CHAPTER 321—GENERAL

- Sec. 32101. Definitions.
32102. Authorization of appropriations.

§ 32101. Definitions

In this part (except chapter 329 and except as provided in section 33101)—

(1) “bumper standard” means a minimum performance standard that substantially reduces—

- (A) the damage to the front or rear end of a passenger motor vehicle from a low-speed collision (including a collision with a fixed barrier) or from towing the vehicle; or
(B) the cost of repairing the damage.

(2) “insurer” means a person in the business of issuing, or reinsuring any part of, a passenger motor vehicle insurance policy.

(3) “interstate commerce” means commerce between a place in a State and—

- (A) a place in another State; or
(B) another place in the same State through another State.

(4) “make”, when describing a passenger motor vehicle, means the trade name of the manufacturer of the vehicle.

(5) “manufacturer” means a person—

- (A) manufacturing or assembling passenger motor vehicles or passenger motor vehicle equipment; or
(B) importing motor vehicles or motor vehicle equipment for resale.

(6) “model”, when describing a passenger motor vehicle, means a category of passenger motor vehicles based on the size, style, and type of a make of vehicle.

(7) “motor vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line.

(8) “motor vehicle accident” means an accident resulting from the maintenance or operation of a passenger motor vehicle or passenger motor vehicle equipment.

(9) “multipurpose passenger vehicle” means a passenger motor vehicle constructed on a truck chassis or with special features for occasional off-road operation.

(10) “passenger motor vehicle” means a motor vehicle with motive power designed to carry not more than 12 individuals, but does not include—

- (A) a motorcycle; or
- (B) a truck not designed primarily to carry its operator or passengers.

(11) “passenger motor vehicle equipment” means—

- (A) a system, part, or component of a passenger motor vehicle as originally made;
- (B) a similar part or component made or sold for replacement or improvement of a system, part, or component, or as an accessory or addition to a passenger motor vehicle; or
- (C) a device made or sold for use in towing a passenger motor vehicle.

(12) “State” means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

(13) “United States district court” means a district court of the United States, a United States court for Guam, the Virgin Islands, and American Samoa, and the district court for the Northern Mariana Islands.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1034; Pub. L. 103-429, §6(27), Oct. 31, 1994, 108 Stat. 4380.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32101(1)	15:1901(5), (6) (words before semicolon), (11).	Oct. 20, 1972, Pub. L. 92-513, §2(1)-(6) (words before semicolon), (7)-(12), (15)-(18), 86 Stat. 947, 948; Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 901; Oct. 10, 1980, Pub. L. 96-425, §8(a)(2), 94 Stat. 1828; Oct. 25, 1984, Pub. L. 98-547, §101(b), 98 Stat. 2767.
32101(2)	15:1901(12).	
32101(3)	15:1901(17).	
32101(4)	15:1901(8).	
32101(5)	15:1901(7).	
32101(6)	15:1901(9).	
32101(7)	15:1901(15).	
32101(8)	15:1901(10).	
32101(9)	15:1901(2).	
32101(10)	15:1901(1).	
32101(11)	15:1901(3), (4).	
32101(12)	15:1901(16).	
32101(13)	15:1901(18).	

In clause (1), the text of 15:1901(11) is omitted as surplus because the complete title of the Secretary of Transportation is used the first time the term appears in a section. The definition of “property loss reduction standard” is combined with the definition of “bumper standard” because the former term is used only in the

definition of the latter term. Before subclause (A), the words “the purpose of which is” and “eliminate” are omitted as surplus. In subclauses (A) and (B), the words “(or both)” are omitted as surplus. In subclause (A), the word “physical” is omitted as surplus.

In clause (2), the words “of passenger motor vehicles” and “engaged” are omitted as surplus.

In clause (5)(A), the words “manufacturing or assembling” are substituted for “engaged in the manufacturing or assembling of” to eliminate unnecessary words.

In clause (8), the words “maintenance or operation” are substituted for “operation, maintenance, or use” to eliminate an unnecessary word.

In clauses (12) and (13), the words “the Northern Mariana Islands” are added because of section 502(a)(2) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, as enacted by the Act of March 24, 1976 (Public Law 94-241, 90 Stat. 268), and as proclaimed to be in effect by the President on January 9, 1978 (Proc. No. 4534, Oct. 24, 1977, 42 F.R. 56593). The words “the Canal Zone” are omitted because of the Panama Canal Treaty of 1977.

In clause (12), the word “means” is substituted for “includes” as being more appropriate. The words “a State of the United States” are substituted for “each of the several States” for consistency in the revised title and with other titles of the United States Code.

In clause (13), the words “of the Commonwealth of Puerto Rico” are omitted as surplus because the district court of Puerto Rico is a district court of the United States under 28:119.

PUB. L. 103-429

This makes a conforming amendment to 49:32101 necessary because of the amendment to 49:32304(a)(11) made by section 6(29) of the bill and to clarify the restatement of 15:1901 by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 1034).

AMENDMENTS

1994—Pub. L. 103-429 amended introductory provisions generally. Prior to amendment, introductory provisions read as follows: “In this part (except section 32304 and chapter 329)—”.

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.

§ 32102. Authorization of appropriations

There is authorized to be appropriated to the Secretary \$9,562,500 for the National Highway Traffic Safety Administration to carry out this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1035; Pub. L. 105-178, title VII, §7102(b), June 9, 1998, 112 Stat. 465; Pub. L. 106-39, §1(b), July 28, 1999, 113 Stat. 206.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32102	15:1392 (note).	Dec. 18, 1991, Pub. L. 102-240, §2501(b), 105 Stat. 2081.

The reference to fiscal year 1992 is omitted as obsolete.

AMENDMENTS

1999—Pub. L. 106-39 substituted “\$9,562,500” for “\$6,200,000”.

1998—Pub. L. 105-178 reenacted section catchline without change and amended text generally. Prior to