



Section-by-Section Summary of H.R. 5381
MOTOR VEHICLE SAFETY ACT OF 2010
Committee on Energy and Commerce

TITLE I – Vehicle Electronics and Safety Standards

Section 101. Electronics and Engineering Expertise

Establishes a new Center for Vehicle Electronics and Emerging Technologies within the National Highway Traffic Safety Administration (NHTSA) to strengthen the agency's expertise in electronic and other new technologies and to research lightweight materials in vehicles. Creates an honors recruitment program at NHTSA for engineers with an interest in vehicle safety.

Section 102. Brake Override Standard

Directs NHTSA to require that all new vehicles be equipped with technology that prevents sudden unintended acceleration by allowing a vehicle to come to a full stop with normal braking pressure even when the accelerator is in operation.

Section 103. Accelerator Control Systems

Directs NHTSA to require that redundancies be built into electronic throttle control systems to enable a driver to maintain control in the event of a failure or malfunction in the system.

Section 104. Pedal Placement Standard

Directs NHTSA to consider promulgating a new standard to prevent pedal entrapment, a cause of unintended acceleration.

Section 105. Electronic Systems Performance Standard

Directs NHTSA to consider establishing minimum performance standards for electronic systems in passenger vehicles.

Section 106. Push-Button Ignition Systems Standard

Directs NHTSA to establish standard operation and performance requirements for push button ignition systems in emergency situations.

Section 107. Transmission Configuration Standard

Directs NHTSA to revise its transmission standard to improve the recognition of gear selector position for drivers, including drivers unfamiliar with the vehicle.

Section 108. Vehicle Event Data Recorders

Directs NHTSA to require that all vehicles be equipped with an event data recorder that meets the requirements of the existing voluntary standard issued by NHTSA. Also directs NHTSA to require that event data recorders store enough information to cover an entire crash including rollovers, to consider requiring additional data elements, and to establish ownership, privacy, and disclosure requirements regarding data collected by the recorders.

Section 109. Commercial Motor Vehicle Rollover Prevention And Crash Mitigation

Directs NHTSA to issue safety standards for rollover prevention in heavy vehicles.

Section 110. Minimum Sound Requirements

Directs the NHTSA to issue a standard establishing a minimum sound that hybrid and electric vehicles must emit to enable blind and other pedestrians to detect a moving vehicle.

Section 111. Driver Alcohol Detection System Research

Directs NHTSA to conduct research on the feasibility of in-vehicle technology to prevent drunk driving.

TITLE II – TRANSPARENCY AND ACCOUNTABILITY**Section 201. Public Availability of Early Warning Data**

Changes the presumption of disclosure under the TREAD Act to require that information submitted to NHTSA by manufacturers through the early warning reporting system be disclosed unless it is exempt from disclosure under the Freedom of Information Act. Requires NHTSA to rewrite the agency's rule on "Confidential Business Information" with a presumption in favor of maximum public availability of early warning reporting information.

Section 202. Improved NHTSA Vehicle Safety Database

Requires NHTSA to improve public accessibility of information posted to its website, including by ensuring that all data is searchable and can be aggregated and downloaded.

Section 203. Promotion of Vehicle Defect Reporting

Requires that all manufacturers affix, in the glove compartment or in another readily accessible location in the car, a sticker or other means that provides information about how to submit a safety-related complaint to NHTSA.

Section 204. NHTSA Hotline for Manufacturer, Dealer, and Mechanic Personnel

Requires that NHTSA establish a hotline through which manufacturer, dealer, and mechanic personnel can report potential safety defects on a confidential basis.

Section 205. Corporate Responsibility for NHTSA Reports

Requires that a manufacturer have a senior executive in the United States certify the accuracy and completeness of all responses to NHTSA's requests for information relating to safety investigations. Augments the existing criminal penalties for making false statements by establishing civil penalties for knowingly providing false, misleading, or incomplete reports.

Section 206. Appeal of Defect Petition Rejection

Allows individuals to appeal the denial of a petition by filing an action in the appropriate court of appeals.

Section 207. Deadlines for Rulemaking

Establishes procedures for NHTSA if it cannot meet the deadlines for rulemakings provided in the bill.

Section 208. Reports to Congress

Directs the Secretary to prepare reports to Congress regarding the use of Early Warning Reporting data and the quality and quantity of data collected through the National Automotive Sampling System. Directs the Inspector General to report to Congress on the operations of the Center for Vehicle Electronics and Emerging Technologies.

Section 209. Restriction On Covered Vehicle Safety Officials

Limits the revolving door between NHTSA and the auto industry by restricting NHTSA employees responsible for vehicle safety from certain post-employment activities.

TITLE III – FUNDING**Section 301. Vehicle Safety User Fee**

Establishes a vehicle safety user fee paid by the vehicle manufacturer for each vehicle certified to meet the federal motor vehicle safety standards for sale in the United States. This fee begins at \$3 per vehicle and increases to \$9 per vehicle after three years. The fee would supplement existing appropriations and support NHTSA's vehicle safety programs.

Section 302. Authorization of Appropriations

Authorizes appropriations for NHTSA's vehicle safety programs. The authorization would be for \$200 million in FY 2011, \$240 million in FY 2012, and \$280 million in FY 2013.

TITLE IV – ENHANCED SAFETY AUTHORITIES**Section 401. Civil Penalties**

Increases the civil penalty NHTSA can seek per violation and sets a maximum civil penalty of \$200,000,000.

Section 402. Imminent Hazard Authority

Provides NHTSA with the authority to expedite a recall order in the case of an imminent hazard of death or serious injury.

TITLE V – ADDITIONAL PROVISIONS**Section 501. Preemption of State Law**

Overturns preemption provisions in Bush-era NHTSA regulations and prevents NHTSA from explicitly preempting state tort law without congressional direction.