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## Section-by-Section Summary of the Waxman-Rush Discussion Draft **MOTOR VEHICLE SAFETY ACT OF 2010** Committee on Energy and Commerce

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### **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 new technologies across all vehicle safety components. Creates an honors recruitment program at NHTSA for engineers with an interest in vehicle safety.

#### **Section 102. Vehicle Stopping Distance and Brake Override Standard**

Requires NHTSA to promulgate new standards that (1) prevent unintended acceleration by requiring that all vehicles be equipped with a technology that would allow a vehicle to come to a full stop with normal braking pressure when the throttle is open and (2) require that redundancies be built into electronic throttle control systems to enable a driver to maintain control even if there is a failure in the system.

#### **Section 103. Pedal Placement Standard**

Requires NHTSA to promulgate a new standard that prevents pedal entrapment as a source of unintended acceleration by establishing minimum clearances for foot pedals with respect to other pedals, the vehicle floor, and any other potential obstructions.

#### **Section 104. Electronic Systems Performance Standard**

Requires NHTSA to establish minimum performance standards for electronic systems in passenger vehicles.

#### **Section 105. Keyless Ignition Systems Standard**

Requires NHTSA to promulgate a new standard that requires that passenger vehicles with keyless ignitions systems have consistent means to allow for a driver to stop or slow a vehicle during an emergency.

#### **Section 106. Transmission Configuration**

Requires NHTSA to promulgate a new standard that requires an intuitive configuration and labeling of gear shift controls that ensures the neutral position is conspicuous to drivers who may need to use it in an emergency.

#### **Section 107. Vehicle Event Data Recorders**

Requires NHTSA to promulgate a rule that requires that all vehicles be equipped with an event data recorder that meets the requirements of the existing voluntary standard issued by NHTSA. Requires a second new rule to establish that all event data recorders must be temperature, water, crash, and tamper resistant, to increase the amount and type of data that must be recorded, to make the data more accessible to investigators, and to establish ownership, privacy, and disclosure requirements regarding data collected by the recorders.

## **TITLE II – ENHANCED SAFETY AUTHORITIES**

### **Section 201. Civil Penalties**

Increases the civil penalty NHTSA can seek per violation and eliminates the maximum civil penalty allowed.

### **Section 202. Imminent Hazard Authority**

Provides NHTSA with the authority to order an immediate recall if it finds an “imminent hazard of death or serious injury” and provides the affected company the ability to seek expedited judicial review of the recall order.

## **TITLE III – TRANSPARENCY AND ACCOUNTABILITY**

### **Section 301. 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 rule on “Confidential Business Information” with a presumption in favor of maximum public availability of early warning reporting information.

### **Section 302. 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 303. 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 304. NHTSA Hotline for Manufacturer, Dealer, and Mechanic Personnel**

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

### **Section 305. 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 and augments the existing criminal penalties for making false statements by establishing civil penalties for knowingly providing false, misleading, or incomplete reports.

### **Section 306. Judicial Review of Defect Petition Rejections**

Provides that individuals aggrieved by the denial of a petition to NHTSA for an investigation into a possible safety defect may seek judicial review of that decision.

## **TITLE IV – FUNDING**

### **Section 401. 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 402. 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.