

49 U.S.C. § 30112

Section 30112 - Prohibitions on manufacturing, selling, and importing noncomplying motor vehicles and equipment

(a) GENERAL.-

(1) Except as provided in this section, sections 30113 and 30114 of this title, and subchapter III of this chapter, a person may not manufacture for sale, sell, offer for sale, introduce or deliver for introduction in [interstate commerce](#), or import into the United States, any [motor vehicle](#) or [motor vehicle equipment](#) manufactured on or after the date an applicable [motor vehicle safety standard](#) prescribed under this chapter takes effect unless the vehicle or equipment complies with the standard and is covered by a certification issued under section 30115 of this title.

(2) Except as provided in this section, sections 30113 and 30114 of this title, and subchapter III of this chapter, a school or school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school or school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the [motor vehicle](#) standards prescribed for school buses and multifunction school activity buses under this title. This paragraph does not apply to the purchase or lease of a 15-passenger van under a contract executed before the date of enactment of this paragraph.

(3) Except as provided in this section, section 30114, subsections (i) and (j) of section 30120, and subchapter III, a person may not sell, offer for sale, introduce or deliver for introduction in [interstate commerce](#), or import into the United States any [motor vehicle](#) or [motor vehicle equipment](#) if the vehicle or equipment contains a [defect](#) related to [motor vehicle safety](#) about which notice was given under section 30118(c) or an order was issued under section 30118(b). Nothing in this paragraph may be construed to prohibit the importation of a new [motor vehicle](#) that receives a required recall remedy before being sold to a consumer in the United States.

(b) NONAPPLICATION.-This section does not apply to-

(1) the sale, offer for sale, or introduction or delivery for introduction in [interstate commerce](#) of a [motor vehicle](#) or [motor vehicle equipment](#) after the first purchase of the vehicle or equipment in good faith other than for resale;

(2) a person-

(A) establishing that the person had no reason to know, despite exercising reasonable care, that a [motor vehicle](#) or [motor vehicle equipment](#) does not comply with applicable [motor vehicle safety](#) standards prescribed under this chapter;

(B) holding, without knowing about the noncompliance and before the vehicle or equipment is first purchased in good faith other than for resale, a certificate issued by a [manufacturer](#) or importer stating the vehicle or equipment complies with applicable standards prescribed under this chapter; or

- (C) having no reason to know, despite exercising reasonable care, that a **motor vehicle** or **motor vehicle equipment** contains a **defect** related to **motor vehicle safety** about which notice was given under section 30118(c) or an order was issued under section 30118(b);
- (3) a **motor vehicle** or **motor vehicle equipment** intended only for export, labeled for export on the vehicle or equipment and on the outside of any container of the vehicle or equipment, and exported;
- (4) a **motor vehicle** the Secretary of Transportation decides under section 30141 of this title is capable of complying with applicable standards prescribed under this chapter;
- (5) a **motor vehicle** imported for personal use by an individual who receives an exemption under section 30142 of this title;
- (6) a **motor vehicle** under section 30143 of this title imported by an individual employed outside the United States;
- (7) a **motor vehicle** under section 30144 of this title imported on a temporary basis;
- (8) a **motor vehicle** or item of **motor vehicle equipment** under section 30145 of this title requiring further manufacturing;
- (9) a **motor vehicle** that is at least 25 years old; or
- (10) the introduction of a **motor vehicle** in **interstate commerce** solely for purposes of testing or evaluation by a **manufacturer** that agrees not to sell or offer for sale the **motor vehicle** at the conclusion of the testing or evaluation and that prior to the date of enactment of this paragraph-
- (A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal **motor vehicle safety** standards;
- (B) has submitted to the Secretary appropriate **manufacturer** identification information under part 566 of title 49, Code of Federal Regulations; and
- (C) if applicable, has identified an agent for service of process in accordance with part 551 of such title.

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Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 945; Pub. L. 109-59, title X, §10309(b), Aug. 10, 2005, 119 Stat. 1942; Pub. L. 112-141, div. C, title I, §312071207,, 126 Stat. 761; Pub. L. 114-94, div. B, title XXIV, §244044404,, 129 Stat. 1721.

HISTORICAL AND REVISION NOTES

Revised

Section *Source (U.S. Code)* *Source (Statutes at Large)*

- 30112(a) 15:1397(a)(1)(A). Sept. 9, 1966, Pub. L. 89-563, §108(a)(1)(A), 80 Stat. 722; Oct. 27, 1974, Pub. L. 93-492, §103(a)(1), 88 Stat. 1477; Oct. 31, 1988, Pub. L. 100-562, §2(c), (d), 102 Stat. 2824.
- 15:1397(c)(1). Sept. 9, 1966, Pub. L. 89-563, 80 Stat. 718, §108(c)(1), (i); added Oct. 31, 1988, Pub. L. 100-562, §2(b), 102 Stat. 2818, 2823.
- 30112(b) 15:1397(a)(2)(D), Sept. 9, 1966, Pub. L. 89-563, §108(a)(2)(D), (b)(1) (1st sentence), (2), 80 Stat. 722; (1)-(3) (b)(1) (1st sentence), Oct. 27, 1974, Pub. L. 93-492, §103(a)(1), 88 Stat. 1477, 1478. (2).
- 15:1397(b)(3). Sept. 9, 1966, Pub. L. 89-563, §108(b)(3), 80 Stat. 723; Oct. 27, 1974, Pub. L. 93-492, §103(a)(1)(B), 88 Stat. 1478; Oct. 31, 1988, Pub. L. 100-562, §2(a), 102 Stat. 2818.
- 30112(b) (no source). (4)-(8)
- 30112(b)(9) 15:1397(i).

In subsection (a), the words "Except as provided in this section . . . and subchapter III of this chapter" are substituted for 15:1397(c)(1) to eliminate unnecessary words and because of the restatement. The reference to section 30113 is added for clarity. In subsection (b), before clause (1), the text of 15:1397(a)(2)(D) is omitted as obsolete because under section 30124 of the revised title a standard prescribed under this chapter may not allow compliance by use of a safety belt interlock or a continuous buzzer. In clause (2)(A), the words "despite exercising reasonable care" are substituted for "in the exercise of due care" for clarity and consistency in the revised title. The words "motor vehicle safety standards prescribed under this chapter" are substituted for "Federal motor vehicle safety standards" for clarity and consistency in this chapter. In clause (2)(B), the words "without knowing about the noncompliance" are substituted for "unless such person knows that such vehicle or equipment does not so conform" to eliminate unnecessary words and for consistency in the revised title. Clauses (4)-(8) are added to provide cross-references to sections restating exceptions to the general rule restated in subsection (a) of this section.

EDITORIAL NOTES

REFERENCES IN TEXTThe date of enactment of this paragraph, referred to in subsec. (a)(2), is the date of enactment of Pub. L. 109-59 which was approved Aug. 10, 2005. The date of enactment of this paragraph, referred to in subsec. (b)(10), is the date of enactment of Pub. L. 114-94 which was approved Dec. 4, 2015.

AMENDMENTS2015-Subsec. (b)(10). Pub. L. 114-94 added par. (10). 2012-Subsec. (a)(3). Pub. L. 112-141, §31207(1), added par. (3). Subsec. (b)(2)(C). Pub. L. 112-141, §31207(2), added subpar. (C). 2005-Subsec. (a). Pub. L. 109-59 which directed amendment of section 30112(a), without specifying the title to be amended, by designating existing provisions as par. (1) and adding par. (2), was executed to this section, to reflect the probable intent of Congress.

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 2012 AMENDMENT Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141 set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.