

United States Code Annotated
Title 49. Transportation (Refs & Annos)
Subtitle VI. Motor Vehicle and Driver Programs
Part A. General
Chapter 301. Motor Vehicle Safety (Refs & Annos)
Subchapter II. Standards and Compliance

49 U.S.C.A. § 30119

§ 30119. Notification procedures

Effective: December 4, 2015

[Currentness](#)

(a) Contents of notification.--Notification by a manufacturer required under [section 30118](#) of this title of a defect or noncompliance shall contain--

- (1) a clear description of the defect or noncompliance;
- (2) an evaluation of the risk to motor vehicle safety reasonably related to the defect or noncompliance;
- (3) the measures to be taken to obtain a remedy of the defect or noncompliance;
- (4) a statement that the manufacturer giving notice will remedy the defect or noncompliance without charge under [section 30120](#) of this title;
- (5) the earliest date on which the defect or noncompliance will be remedied without charge, and for tires, the period during which the defect or noncompliance will be remedied without charge under [section 30120](#) of this title;
- (6) the procedure the recipient of a notice is to follow to inform the Secretary of Transportation when a manufacturer, distributor, or dealer does not remedy the defect or noncompliance without charge under [section 30120](#) of this title; and
- (7) other information the Secretary prescribes by regulation.

(b) Earliest remedy date.--The date specified by a manufacturer in a notification under subsection (a)(5) of this section or [section 30121\(c\)\(2\)](#) of this title is the earliest date that parts and facilities reasonably can be expected to be available to remedy the defect or noncompliance. The Secretary may disapprove the date.

(c) Time for notification.--Notification required under [section 30118](#) of this title shall be given within a reasonable time--

- (1) prescribed by the Secretary, after the manufacturer receives notice of a final decision under [section 30118\(b\)](#) of this title; or
- (2) after the manufacturer first decides that a safety-related defect or noncompliance exists under [section 30118\(c\)](#) of this title.

(d) Means of providing notification.--(1) Notification required under [section 30118](#) of this title about a motor vehicle shall be sent in the manner prescribed by the Secretary, by regulation--

(A) to each person registered under State law as the owner and whose name and address are reasonably ascertainable by the manufacturer through State records or other available sources; or

(B) if a registered owner is not notified under clause (A) of this paragraph, to the most recent purchaser known to the manufacturer.

(2) Notification required under [section 30118](#) of this title about replacement equipment shall be sent in the manner prescribed by the Secretary, by regulation, to the most recent purchaser known to the manufacturer.

(3) In addition to the notification required under paragraphs (1) and (2), if the Secretary decides that public notice is required for motor vehicle safety, public notice shall be given by the manufacturer in the way required by the Secretary after consulting with the manufacturer. In deciding whether public notice is required, the Secretary shall consider--

(A) the magnitude of the risk to motor vehicle safety caused by the defect or noncompliance; and

(B) the cost of public notice compared to the additional number of owners the notice may reach.

(4) A dealer to whom a motor vehicle or replacement equipment was delivered shall be notified in the manner prescribed by the Secretary, by regulation.

(e) Additional notification.--

(1) **Second notification.--**If the Secretary decides that a notification sent by a manufacturer under this section has not resulted in an adequate number of motor vehicles or items of replacement equipment being returned for remedy, the Secretary may order the manufacturer to send a 2d notification in the way the Secretary prescribes by regulation.

(2) **Additional notifications.--**If the Secretary determines, after taking into account the severity of the defect or noncompliance, that the second notification by a manufacturer does not result in an adequate number of motor vehicles or items of replacement equipment being returned for remedy, the Secretary may order the manufacturer--

(A)(i) to send additional notifications in the manner prescribed by the Secretary, by regulation; or

(ii) to take additional steps to locate and notify each person registered under State law as the owner or lessee or the most recent purchaser or lessee, as appropriate; and

(B) to emphasize the magnitude of the safety risk caused by the defect or noncompliance in such notification.

(f) Notification by lessor to lessee.--(1) In this subsection, “leased motor vehicle” means a motor vehicle that is leased to a person for at least 4 months by a lessor that has leased at least 5 motor vehicles in the 12 months before the date of the notification.

(2) A lessor that receives a notification required by [section 30118](#) of this title about a leased motor vehicle shall provide a copy of the notification to the lessee in the way the Secretary prescribes by regulation.

(g) Information regarding components involved in recall.--A manufacturer that is required to furnish a report under [section 573.6 of title 49, Code of Federal Regulations](#) (or any successor regulation) for a defect or noncompliance in a motor vehicle or in an item of original or replacement equipment shall, if such defect or noncompliance involves a specific component or components, include in such report, with respect to such component or components, the following information:

- (1)** The name of the component or components.
- (2)** A description of the component or components.
- (3)** The part number of the component or components, if any.

CREDIT(S)

([Pub.L. 103-272](#), § 1(e), July 5, 1994, 108 Stat. 951; [Pub.L. 112-141](#), Div. C, Title I, § 31310, July 6, 2012, 126 Stat. 771; [Pub.L. 114-94](#), Div. B, Title XXIV, § 24116, Dec. 4, 2015, 129 Stat. 1711.)

49 U.S.C.A. § 30119, 49 USCA § 30119
Current through P.L. 116-50.