

SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

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Public Law 109-59
109th Congress

An Act

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. <<NOTE: Aug. 10, 2005 - [H.R. 3]>>

SEC. 10309. <<NOTE: 49 USC 30117.>> 15-PASSENGER VAN SAFETY.

(a) Testing.--

(1) In general.--The Secretary of Transportation shall require the testing of 15-passenger vans as part of the rollover resistance program of the National Highway Traffic Safety Administration's new car assessment program.

(2) 15-passenger van defined.--In this subsection, the term "15-passenger van" means a vehicle that seats 10 to 14 passengers, not including the driver.

(b) <<NOTE: 49 USC 30112.>> Prohibition of Purchase, Rental, or Lease of Noncomplying 15-Passenger Vans for School Use.--Section 30112(a) is amended--

(1) by inserting "(1)" before "Except as provided"; and

(2) by adding at the end the following:

"(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."

(c) <<NOTE: 49 USC 30165.>> Penalty.--Section 30165(a) is amended--

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

"(2) School buses.--

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"(A) In general.--Notwithstanding paragraph (1), the maximum amount of a civil penalty under this paragraph shall be \$10,000 in the case of--(i) the manufacture, sale, offer for sale, introduction or delivery for introduction into interstate commerce, or importation of a school bus or school bus equipment (as those terms are defined in section 30125(a) of this title) in violation of section 30112(a)(1) of this title; or (ii) a violation of section 30112(a)(2) of this title.

"(B) Related series of violations.--A separate violation occurs for each motor vehicle or item of motor vehicle equipment and for each failure or refusal to allow or perform an act required by that section. The maximum penalty under this paragraph for a related series of violations is \$15,000,000."