

**AMENDMENT TO THE SENATE AMENDMENTS TO
H.R. 22
OFFERED BY M. _____**

Insert after subtitle D of title XXXIV the following
new subtitle:

1 **Subtitle E—Additional Motor**
2 **Vehicle Provisions**

3 **SEC. 34501. IMMINENT HAZARD AUTHORITY.**

4 Section 30118 of title 49, United States Code, is
5 amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “(1) The
8 Secretary may” and inserting “(1) IN GEN-
9 ERAL.—Except as provided under paragraph
10 (3), the Secretary may”;

11 (B) in paragraph (2), by inserting “OR-
12 DERS.—” before “If the Secretary”; and

13 (C) by adding after paragraph (2) the fol-
14 lowing:

15 “(3) IMMINENT HAZARDS.—

16 “(A) DECISIONS AND ORDERS.—If the
17 Secretary decides that a defect or noncompli-
18 ance, or combination of both, under subsection

1 (a) presents an imminent hazard, the Sec-
2 retary—

3 “(i) shall notify the manufacturer of
4 the motor vehicle or replacement equip-
5 ment immediately under subsection (a);

6 “(ii) shall order the manufacturer of
7 the motor vehicle or replacement equip-
8 ment to immediately—

9 “(I) give notification under sec-
10 tion 30119 of this title to the owners,
11 purchasers, and dealers of the vehicle
12 or equipment of the imminent hazard;
13 and

14 “(II) remedy the defect or non-
15 compliance under section 30120 of
16 this title;

17 “(iii) notwithstanding section 30119
18 or 30120, may order the time for notifica-
19 tion, means of providing notification, ear-
20 liest remedy date, and time the owner or
21 purchaser has to present the motor vehicle
22 or equipment, including a tire, for remedy;
23 and

24 “(iv) may include in an order under
25 this subparagraph any other terms or con-

1 ditions that the Secretary determines nec-
2 essary to abate the imminent hazard.

3 “(B) OPPORTUNITY FOR ADMINISTRATIVE
4 REVIEW.—Subsequent to the issuance of an
5 order under subparagraph (A), opportunity for
6 administrative review shall be provided in ac-
7 cordance with section 554 of title 5, except that
8 such review shall occur not later than 10 days
9 after issuance of such order.

10 “(C) DEFINITION OF IMMINENT HAZ-
11 ARD.—In this paragraph, the term ‘imminent
12 hazard’ means any condition which substan-
13 tially increases the likelihood of serious injury
14 or death if not remedied immediately.”; and

15 (2) in subsection (c), by inserting “or electronic
16 mail” after “certified mail”.

