

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

Page 574, insert after line 6 the following new section:

**1 SEC. 34216. IMMINENT HAZARD AUTHORITY.**

2 Section 30118 of title 49, United States Code, is  
3 amended—

4 (1) in subsection (b)—

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

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

11 (C) by adding after paragraph (2) the fol-  
12 lowing:

13 “(3) IMMINENT HAZARDS.—

14 “(A) DECISIONS AND ORDERS.—If the  
15 Secretary decides that a defect or noncompli-  
16 ance, or combination of both, under subsection  
17 (a) presents an imminent hazard, the Sec-  
18 retary—

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

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

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

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

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

22           “(iv) may include in an order under  
23 this subparagraph any other terms or con-  
24 ditions that the Secretary determines nec-  
25 essary to abate the imminent hazard.

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

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

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

