AMENDMENT TO THE SENATE AMENDMENTS TO
H.R. 22
OFFERED BY M __. ____________

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

SEC. 34216. IMMINENT HAZARD AUTHORITY.

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

(1) in subsection (b)—

(A) in paragraph (1), by striking “(1) The Secretary may” and inserting “(1) IN GENERAL.—Except as provided under paragraph (3), the Secretary may”;

(B) in paragraph (2), by inserting “ORDERS.—” before “If the Secretary”; and

(C) by adding after paragraph (2) the following:

“(3) IMMINENT HAZARDS.—

“(A) DECISIONS AND ORDERS.—If the Secretary decides that a defect or nonecompliance, or combination of both, under subsection (a) presents an imminent hazard, the Sec-
“(i) shall notify the manufacturer of the motor vehicle or replacement equipment immediately under subsection (a);

“(ii) shall order the manufacturer of the motor vehicle or replacement equipment to immediately—

“(I) give notification under section 30119 of this title to the owners, purchasers, and dealers of the vehicle or equipment of the imminent hazard;

and

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

“(iii) notwithstanding section 30119 or 30120, may order the time for notification, means of providing notification, earliest remedy date, and time the owner or purchaser has to present the motor vehicle or equipment, including a tire, for remedy;

and

“(iv) may include in an order under this subparagraph any other terms or conditions that the Secretary determines necessary to abate the imminent hazard.
“(B) OPPORTUNITY FOR ADMINISTRATIVE REVIEW.—Subsequent to the issuance of an order under subparagraph (A), opportunity for administrative review shall be provided in accordance with section 554 of title 5, except that such review shall occur not later than 10 days after issuance of such order.

“(C) DEFINITION OF IMMINENT HAZARD.—In this paragraph, the term ‘imminent hazard’ means any condition which substantially increases the likelihood of serious injury or death if not remedied immediately.”; and

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