

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 205

Prohibiting the manufacture, sale, delivery, or importation of certain motor vehicles and rail cars that do not have seat belts, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. JACOBS introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Ways and Means

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## A BILL

Prohibiting the manufacture, sale, delivery, or importation of certain motor vehicles and rail cars that do not have seat belts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION.**

4 No person shall manufacture, sell, deliver, or import  
5 any motor vehicle or rail car, constructed after the effec-  
6 tive date of this Act, for use by a person described in sec-  
7 tion 2 to provide transportation service, unless such motor  
8 vehicle or rail car is equipped with a seat belt, with par-  
9 ticular emphasis on the use of a flight attendant double  
10 shoulder harness mechanism, or other appropriate safety

1 restraint device providing equal or greater passenger safe-  
2 ty, for each passenger riding in such vehicle or car.

3 **SEC. 2. PERSONS TO WHICH PROHIBITION APPLIES.**

4 The prohibition set forth in section 1 shall apply to—

5 (1) any motor carrier or rail carrier, as such  
6 terms are defined in section 10102 of title 49, Unit-  
7 ed States Code; and

8 (2) any Federal, State, or local government en-  
9 tity, school district, charitable organization, church,  
10 or other public or private entity providing transpor-  
11 tation to passengers by motor vehicle or by rail.

12 **SEC. 3. RETROFIT REQUIREMENT.**

13 Any person described in section 2 who owns or oper-  
14 ates a motor vehicle or rail car, constructed before the ef-  
15 fective date of this Act, that is used—

16 (1) to provide passenger transportation for  
17 compensation; or

18 (2) to transport children under the age of 18,  
19 shall, within 90 days after such effective date, equip such  
20 vehicle or car with a seat belt, with particular emphasis  
21 on the use of a flight attendant double shoulder harness  
22 mechanism, or other appropriate safety restraint device  
23 providing equal or greater passenger safety, for each pas-  
24 senger riding in such vehicle or car.

1 **SEC. 4. CIVIL PENALTIES; SECRETARY'S AUTHORITY TO**  
2 **COMPROMISE.**

3 (a) AMOUNT OF PENALTIES.—Whoever violates any  
4 provision of this Act, or any regulation issued thereunder,  
5 shall be subject to a civil penalty of not to exceed \$1,000  
6 for each such violation. A violation with respect to each  
7 motor vehicle or rail car shall constitute a separate viola-  
8 tion, except that the maximum civil penalty shall not ex-  
9 ceed \$800,000 for any related series of violations.

10 (b) COMPROMISE OF PENALTIES.—Any such civil  
11 penalty may be compromised by the Secretary of Trans-  
12 portation. In determining the amount of such penalty, or  
13 the amount agreed upon in compromise, the appropriate-  
14 ness of such penalty to the size of the business of the per-  
15 son charged and the gravity of the violation shall be con-  
16 sidered. The amount of such penalty, when finally deter-  
17 mined, or the amount agreed upon in compromise, may  
18 be deducted from any sums owing by the United States  
19 to the person charged.

20 **SEC. 5. EFFECTIVE DATE.**

21 This Act shall take effect 90 days after the date of  
22 its enactment.

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