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S. 3061

To require the President to negotiate an international agreement governing the recall by manufacturers of motor vehicles and motor vehicle equipment with safety-related defects

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2000

Mr. ASHCROFT introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the President to negotiate an international agreement governing the recall by manufacturers of motor vehicles and motor vehicle equipment with safety-related defects

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. SHORT TITLE.**

4 This bill may be cited as the “International Con-
5 sumer Safety Information Act”.

1 **SEC. 2. INTERNATIONAL AGREEMENT FOR RECALLS OF**
2 **AUTOS OR AUTO PARTS.**

3 (a) **INTERNATIONAL AGREEMENT.**—The President
4 shall attempt to achieve the goal of an international agree-
5 ment governing the dissemination of information about re-
6 calls by manufacturers of motor vehicles and motor vehicle
7 equipment with safety-related defects. The President shall
8 take the necessary steps to begin negotiations within the
9 appropriate international fora not later than 60 days after
10 the date of the enactment of this Act.

11 (b) **PURPOSE.**—The purpose of these negotiations
12 shall be to establish an international agreement in which
13 government officials agree to cooperate in furthering glob-
14 al transparency with respect to motor vehicles or motor
15 vehicle equipment recalls so as to promote consumer safety
16 and to enhance consumer confidence.

17 (c) **GUIDELINES FOR GOVERNMENTS.**—The Presi-
18 dent shall consider the following criteria in the negotia-
19 tions referred to in (a):

20 (1) Member states should designate a com-
21 petent authority within their own national govern-
22 ment as the responsible authority for disseminating,
23 to the public and to other foreign authorities, infor-
24 mation about recalls of motor vehicles or motor vehi-
25 cle equipment.

1 (2) Member states should cooperate at the
2 international level through their designated authori-
3 ties through information exchange, communication,
4 and joint action.

5 (3) Member states should make available, to the
6 public and to other governments through the collec-
7 tive publication of an Internet site managed for the
8 purpose of the international agreement negotiated
9 pursuant to this title, information on the following,
10 at a minimum:

11 (A) The name, title, and contact informa-
12 tion for the competent authority in each mem-
13 ber state regarding motor vehicles or motor ve-
14 hicle equipment recalls.

15 (B) The names of companies that have
16 issued recalls, the companies' contact informa-
17 tion, and the specific products that are being
18 recalled.

19 (C) The countries in which the recalls are
20 effective, and the date of the recall.

21 (4) Member states, in the interest of getting all
22 relevant information to their competent authorities
23 and having those authorities share it with other
24 countries, should disseminate widely the final guide-

1 lines negotiated to all relevant government depart-
2 ments, agencies, and branches of government.

3 (5) Developed Member states should seek to as-
4 sist developing states in implementing this agree-
5 ment, and to aid efforts by developing states to en-
6 sure compliance with the agreement.

7 (6) Member states should establish a framework
8 to conduct regular oversight and review to assess the
9 operation and effectiveness of the agreement and to
10 create a forum in which member states can share
11 with other states the domestic laws and regulations
12 they have adopted to implement the agreement.

13 (d) GUIDELINES FOR ENTERPRISES ENGAGED IN
14 TRADE.—The President shall seek to include in the inter-
15 national agreement guidelines on recalls for enterprises
16 engaged in exporting motor vehicles or motor vehicle
17 equipment or manufacturing motor vehicle equipment for
18 inclusion in vehicles to be exported. The President shall
19 consider the following criteria when conducting the nego-
20 tiations:

21 (1) TRANSPARENCY AND DISCLOSURE.—Enter-
22 prises that export autos or auto parts into the global
23 market or enterprises that manufacture component
24 parts for autos that are sold into the global market
25 should disclose all relevant information regarding a

1 recall it undertakes to the competent authority in
2 the country it initiates the recall and to the com-
3 petent authority in the country in which it is incor-
4 porated. The information should be extensive enough
5 to facilitate the listing referred to in (C)(3).

6 (2) CONSUMER INTERESTS.—Enterprises
7 should be cognizant of the fact that consumers
8 transverse international borders and often take their
9 vehicles with them; therefore, the enterprises should,
10 to the greatest extent practical, make all consumers
11 aware of recalls of motor vehicles or motor vehicle
12 equipment, particularly in countries that border or
13 are in proximity to a country in which the recall was
14 initiated.

15 (3) COOPERATION WITH REGULATORY AU-
16 THORITIES.—Enterprises should cooperate promptly
17 with the national authorities in any country that is
18 requesting information about motor vehicle or motor
19 vehicle equipment recall in an effort to safeguard
20 consumer safety.

1 **SEC. 3. UNITED STATES GOVERNMENT COORDINATION OF**
2 **INFORMATION ON FOREIGN RECALLS OF**
3 **MOTOR VEHICLES OR MOTOR VEHICLE**
4 **EQUIPMENT.**

5 (a) DEVELOPMENT OF EXPERTISE IN RECALLS OF
6 MOTOR VEHICLES OR MOTOR VEHICLE EQUIPMENT.—
7 The President should designate the Secretary of Trans-
8 portation as the competent authority in the United States
9 Government:

10 (1) The Secretary of Transportation should ad-
11 vise the President in negotiations referenced by sec-
12 tion 2.

13 (2) The Secretary of Transportation shall co-
14 ordinate with and draw on the expertise of the ap-
15 propriate officials in the Department of State, the
16 Office of the United States Trade Representative,
17 and the National Highway Traffic Safety Adminis-
18 tration.

19 (3) Until such time that the President con-
20 cludes the negotiations referenced in section 2 and
21 until there is an international Internet database that
22 compiles the information in section 2(C)(3), the Sec-
23 retary of Transportation shall post an official Inter-
24 net site detailing the information to the greatest ex-
25 tent possible, in section 2(C)(3) in addition to infor-
26 mation provided to the Secretary of Transportation

1 by U.S. embassies abroad about recalls of motor ve-
2 hicles or motor vehicle equipment in foreign coun-
3 tries.

4 (b) COORDINATED FEDERAL STRATEGY.—The De-
5 partment of State shall establish procedures by which
6 United States embassies abroad will inform the Secretary
7 of Transportation immediately when the Ambassador or
8 commercial attache receives information about an impend-
9 ing or announced recall of motor vehicles or motor vehicle
10 equipment. Immediately thereafter, the Secretary of
11 Transportation shall notify the Senate Commerce Com-
12 mittee and the House Commerce Committee.

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