§ 30170. Criminal Penalties

(a) Criminal Liability for Falsifying or Withholding Information.—

(1) General rule.— A person who violates section 1001 of title 18 with respect to the reporting requirements of section 30166, with the specific intention of misleading the Secretary with respect to motor vehicle or motor vehicle equipment safety related defects that have caused death or serious bodily injury to an individual (as defined in section 1365 (g)(3) \(^1\) of title 18), shall be subject to criminal penalties of a fine under title 18, or imprisoned for not more than 15 years, or both.

(2) Safe harbor to encourage reporting and for whistle blowers.—

(A) Correction.— A person described in paragraph (1) shall not be subject to criminal penalties under this subsection if: (1) at the time of the violation, such person does not know that the violation would result in an accident causing death or serious bodily injury; and (2) the person corrects any improper reports or failure to report within a reasonable time.

(B) Reasonable time and sufficiency of correction.— The Secretary shall establish by regulation what constitutes a reasonable time for the purposes of subparagraph (A) and what manner of correction is sufficient for purposes of subparagraph (A). The Secretary shall issue a final rule under this subparagraph within 90 days of the date of the enactment of this section.

(C) Effective date.— Subsection (a) shall not take effect before the final rule under subparagraph (B) takes effect.

(b) Coordination with Department of Justice.— The Attorney General may bring an action, or initiate grand jury proceedings, for a violation of subsection (a) only at the request of the Secretary of Transportation.

Footnotes

1 See References in Text note below.


References in Text


The date of the enactment of this section, referred to in subsec. (a)(2)(B), is the date of enactment of Pub. L. 106–414, which was approved Nov. 1, 2000.