

# Motor Vehicle Safety Act

The Motor Vehicle Safety Act Is the Federal-to-State Preemption Framework for Motor Vehicle Laws, Including Trailers

***“A State ... may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical ...”***

**49 U.S.C. § 30103(b)(1)**

## Purpose and Function of the Motor Vehicle Safety Act

The National Traffic and Motor Vehicle Safety Act establishes a national system of motor vehicle safety regulation by assigning responsibility for the development of motor vehicle safety standards to the federal government, while expressly preserving a defined role for the states in the enforcement and post-manufacture regulation of motor vehicles. The Act operates as the statutory mechanism through which federal motor vehicle safety standards apply uniformly nationwide and through which state authority is integrated into that uniform system.

## Statutory Text

“When a motor vehicle safety standard is in effect under this chapter, a State or a political subdivision of a State may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical to the standard prescribed under this chapter.”

**49 U.S.C. § 30103(b)(1)**

“A State may enforce a standard that is identical to a standard prescribed under this chapter.”

**49 U.S.C. § 30103(b)(2)**

“However, the Secretary may prescribe, for a motor vehicle operated by a carrier subject to subchapter I of chapter 135, a safety regulation that imposes a higher standard of performance after manufacture than that required by an applicable standard in effect at the time of manufacture.”

**49 U.S.C. § 30103(a)**

*Taken together, these provisions establish the Motor Vehicle Safety Act as the connective framework between federal and state authority in the field of motor vehicle safety.*

*Congress placed the creation of motor vehicle safety standards at the federal level to ensure uniformity, limited state standard-setting authority to identical requirements, and preserved state enforcement authority and post-manufacture regulation within defined*

*bounds. Once a federal motor vehicle safety standard is in effect, any non-identical state or local requirement addressing the same aspect of motor vehicle performance is expressly preempted by federal law.*

## **Post-Manufacture Regulation, Manufacturer Exposure, and the Disruption of the Federal Framework by ICC/THIA 1215**

The Motor Vehicle Safety Act does more than establish safety standards—it creates a mandatory compliance pathway for manufacturers. Congress paired national uniformity at manufacture with strict prohibitions on the manufacture, sale, and introduction into interstate commerce of noncomplying motor vehicles. See 49 U.S.C. §§ 30103, 30112. This framework is designed to protect both public safety and manufacturers, by giving them a single, knowable set of federal requirements at the point of manufacture.

### **Under federal law:**

- **A person may not manufacture for sale, sell, offer for sale, or introduce into interstate commerce any motor vehicle unless it complies with applicable federal motor vehicle safety standards and is covered by a federal certification.**  
*49 U.S.C. § 30112(a)(1).*
- **These prohibitions apply at manufacture and at entry into interstate commerce, before any post-manufacture or state-level oversight occurs.**
- **Manufacturers rely on this federal framework to determine what compliance is required, when compliance is required, and how certification is lawfully achieved.**

**ICC/THIA 1215 undermines this structure and places manufacturers in an untenable position.**

### **Specifically, ICC/THIA 1215:**

- **Imposes non-identical, dwelling-based requirements on chassis-based, transportation-capable structures at or prior to manufacture.**
- **Forces manufacturers to choose between:**
  - **complying** with federal motor vehicle safety law, or
  - complying with a non-governmental standard that is not part of the FMVSS framework.

- Creates a regulatory conflict in which compliance with ICC/THIA 1215 does not satisfy, and may directly interfere with, compliance and certification obligations under § 30112.
- Exposes manufacturers to civil, administrative, and enforcement risk by blurring the federally mandated line between lawful manufacture and prohibited manufacture of noncomplying motor vehicles.

*Congress preserved state authority after manufacture; § 30112 enforces federal uniformity before and during manufacture. By inserting non-identical requirements at the point of fabrication and transport, ICC/THIA 1215 does not merely conflict with federal law—it places manufacturers in jeopardy of violating it.*

## **§ 578.6 Civil penalties for violations of specified provisions of Title 49 of the United States Code.**

### **(a) Motor vehicle safety —**

(1) *In general.* A person who violates any of sections 30112, 30115, 30117 through 30122, 30123(a), 30125(c), 30127, or 30141 through 30147 of Title 49 of the United States Code or a regulation in this chapter prescribed under any of those sections is liable to the United States Government for a civil penalty of not more than \$27,874 for each violation. A separate violation occurs for each motor vehicle or item of motor vehicle equipment and for each failure or refusal to allow or perform an act required by any of those sections. The maximum civil penalty under this [paragraph \(a\)\(1\)](#) for a related series of violations is \$139,356,994.

[Link](#)

## **NHTSA Civil Penalty Settlements**

The [Vehicle Safety Act](#) provides for civil penalties for certain violations and authorizes NHTSA to enter into settlements on penalties.

Below are the civil penalty settlement amounts collected in fiscal years 2014-present and associated settlement documents. Civil penalty collections from 1999-2013 have been [archived](#).

This page does not include Corporate Average Fuel Economy (CAFE) penalties. Those penalties are available on the [CAFE webpage](#).

[Link](#)

## 49 U.S. Code § 30103 - Relationship to other laws

### (a) Uniformity of Regulations.—

The Secretary of Transportation may not prescribe a safety regulation related to a [motor vehicle](#) subject to subchapter I of [chapter 135 of this title](#) that differs from a [motor vehicle safety standard](#) prescribed under this chapter. However, the Secretary may prescribe, for a [motor vehicle](#) operated by a carrier subject to subchapter I of chapter 135, a safety regulation that imposes a higher standard of performance after manufacture than that required by an applicable standard in effect at the time of manufacture.

### (b) Preemption.—

#### (1)

When a [motor vehicle safety standard](#) is in effect under this chapter, a [State](#) or a political subdivision of a [State](#) may prescribe or continue in effect a standard applicable to the same aspect of performance of a [motor vehicle](#) or [motor vehicle equipment](#) only if the standard is identical to the standard prescribed under this chapter. However, the United [States](#) Government, a [State](#), or a political subdivision of a [State](#) may prescribe a standard for a [motor vehicle](#) or [motor vehicle equipment](#) obtained for its own use that imposes a higher performance requirement than that required by the otherwise applicable standard under this chapter.

#### (2)

A [State](#) may enforce a standard that is identical to a standard prescribed under this chapter.

### (c) Antitrust Laws.—This chapter does not—

#### (1)

exempt from the antitrust laws conduct that is unlawful under those laws; or

#### (2)

prohibit under the antitrust laws conduct that is lawful under those laws.

(d) Warranty Obligations and Additional Legal Rights and Remedies.—

Sections 30117(b), 30118–30121, 30166(f), and 30167(a) and (b) of this title do not establish or affect a warranty obligation under a law of the United [States](#) or a [State](#). A remedy under those sections and sections [30161](#) and [30162](#) of this title is in addition to other rights and remedies under other laws of the United [States](#) or a [State](#).

(e) Common Law Liability.—

Compliance with a [motor vehicle safety standard](#) prescribed under this chapter does not exempt a person from liability at common law.

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