

## CLIENT ALERT

### NHTSA Proposes Increases in Maximum Civil Penalties

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This past Friday the Federal Register published the National Highway Traffic Safety Administration's (NHTSA) [notice of proposed rulemaking](#) to increase the maximum civil penalties allowable for violations of certain statutes it administers. The proposed rule would adjust the maximum civil penalties for inflation, as required by the Federal Civil Monetary Penalty Inflation Adjustment Act. The proposed rule would provide the following penalty maximum increases:

Rules	Current Maximum Penalty	Proposed Maximum Penalty
Motor Vehicle Safety Rules 49 U.S.C. § 30112, 30115, 30117-30122, 30123(a), 30125(c), 30127, 30141-30147	<ul style="list-style-type: none"> <li>• Single per-day violation: \$6,000</li> <li>• Series of related violations: \$16,375,000</li> </ul>	<ul style="list-style-type: none"> <li>• Single per-day violation: \$7,000</li> <li>• Series of related violations: \$17,350,000;</li> </ul>
School Buses 49 U.S.C. § 30112(a)(1), (a)(2)	<ul style="list-style-type: none"> <li>• Series of related violations: \$16,650,000</li> </ul>	<ul style="list-style-type: none"> <li>• Series of related violations: \$17,250,000</li> </ul>
Inspections, Investigations and Records 49 U.S.C. § 30166	<ul style="list-style-type: none"> <li>• Single per-day violation: \$6,000</li> <li>• Series of related violations: \$16,375,000</li> </ul>	<ul style="list-style-type: none"> <li>• Single per-day violation: \$7,000</li> <li>• Series of related violations: \$17,350,000</li> </ul>
Bumper Standards 49 U.S.C. § 32506(a)	<ul style="list-style-type: none"> <li>• Series of related violations: \$1,175,000</li> </ul>	<ul style="list-style-type: none"> <li>• Series of related violations: \$1,225,000</li> </ul>
Consumer Information 49 U.S.C. § 32308	<ul style="list-style-type: none"> <li>• Series of related violations: \$575,000</li> </ul>	<ul style="list-style-type: none"> <li>• Series of related violations: \$600,000</li> </ul>
Medium- and Heavy-Duty Vehicle Fuel Efficiency 49 C.F.R. § 535	<ul style="list-style-type: none"> <li>• None codified</li> </ul>	<ul style="list-style-type: none"> <li>• Series of related violations: \$37,500 per vehicle or engine</li> </ul>

Comments on the proposed rule are due on October 9, 2012. The proposed rule would take effect thirty days after its final publication in the Federal Register. Though no specific date is identified, the Agency anticipates the revised civil penalties to be in place by December 31, 2012.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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