



Report to Congress

This report describes the status of certain mandated rulemakings as required under Section 24210 of the Infrastructure Investment and Jobs Act.

Rulemaking Status Report

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Section 24210, “RULEMAKING REPORT,” of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58), requires that the Secretary submit, not later than 180 days after enactment of the Act, and not less frequently than biannually thereafter, a report on all rulemakings belonging to the category “covered rulemaking” as defined at § 24210(a). The previous report was submitted in February 2024.

The list of covered rulemakings identified in § 24210(a)(2) generally covers rulemakings mandated under the Moving Ahead for Progress in the 21st Century Act (Pub. L. 112-141; MAP-21), the Fixing America’s Surface Transportation Act (Pub. L. 114-94; FAST Act), and the IIJA. The requirement specifically includes any regulation or rulemaking that has not been finalized by the date on which a report is submitted related to:

- (A) section 30120A of title 49, United States Code;
- (B) section 30166(o) of title 49, United States Code;
- (C) section 30172 of title 49, United States Code;
- (D) section 32302(c) of title 49, United States Code;
- (E) a defect reporting requirement under section 32302(d) of title 49, United States Code;
- (F) subsections (b) and (c) of section 32304A of title 49, United States Code;
- (G) the tire pressure monitoring standards required under section 24115 of the FAST Act (49 U.S.C. 30123 note; Public Law 114–94);
- (H) the amendment made by section 24402 of the FAST Act (129 Stat. 1720; Public Law 114–94) to section 30120(g)(1) of title 49, United States Code;
- (I) the records retention rule required under section 24403 of the FAST Act (49 U.S.C. 30117 note; Public Law 114–94);
- (J) the amendments made by section 24405 of the FAST Act (Public Law 114–94; 129 Stat. 1721) to section 30114 of title 49, United States Code;
- (K) a defect and noncompliance notification required under—
 - (i) section 24104 of the FAST Act (49 U.S.C. 30119 note; Public Law 114–94);
 - or
 - (ii) section 31301 of MAP–21 (49 U.S.C. 30166 note; Public Law 112–141);
- (L) a side impact or frontal impact test procedure for child restraint systems under section 31501 of MAP–21 (49 U.S.C. 30127 note; Public Law 112–141);

(M) an upgrade to child restraint anchorage system usability requirements required under section 31502 of MAP–21 (49 U.S.C. 30127 note; Public Law 112–141);

(N) the rear seat belt reminder system required under section 31503 of MAP–21 (49 U.S.C. 30127 note; Public Law 112–141);

(O) a motorcoach rulemaking required under section 32703 of MAP–21 (49 U.S.C. 31136 note; Public Law 112–141); or

(P) any rulemaking required under IIJA.

As of December 2024, the National Highway Traffic Safety Administration (NHTSA) has completed 38 of the 57 statutory mandates to conduct rulemaking. Specifically, NHTSA has completed 17 of the 21 MAP-21 mandates, 17 of the 25 FAST Act mandates, and 4 of the 11 IIJA mandates. In part, as a result of the increased resources provided in IIJA, over the last three years NHTSA has completed 37 final rules and published 25 proposed rules.

Additionally, NHTSA plans to continue to make progress on the mandated rulemakings from MAP-21, the FAST Act, and IIJA, as described below. The timing of NHTSA rulemakings may be affected by the need to conduct complex technical research before sufficient data exists to meet statutory requirements to take the action. NHTSA continues to conduct research or analysis or draft a notice for publication for all remaining regulatory mandates. The current status of each of the rulemakings is set forth in NHTSA’s portion of the Fall 2024 Unified Agenda, available at <https://www.reginfo.gov/public/do/eAgendaMain>.

As directed by Section 24210 of IIJA, NHTSA submits the following report to Congress regarding the status of its roster of active rulemakings that qualify under this section as “covered rulemakings.”

IIJA § 24210(a)(2)(A) – Recall Obligations and Bankruptcy of a Manufacturer (49 U.S.C. 30120A)

Consistent with the amendments to 49 U.S.C. 30120A in the FAST Act, NHTSA’s regulations at 49 CFR part 573 require manufacturers filing bankruptcy petitions under any chapter of the bankruptcy code to submit notice to NHTSA. NHTSA has an ongoing rulemaking, titled “49 CFR Part 573, Defect and Noncompliance Responsibility and Reports” (RIN 2127-AL80), to address numerous provisions related to NHTSA’s part 573 regulations. NHTSA aims to publish a Notice of Proposed Rulemaking (NPRM) in this rulemaking in the Spring of 2025. NHTSA has been delayed in completing this rulemaking due to existing work on other required rulemakings consuming more time than was originally anticipated. Once the proposal is published, and public comments in response to the proposal are received and considered, NHTSA plans to complete the rulemaking as soon as feasible. NHTSA has continued to evaluate how best to effectuate the statutory provisions on bankruptcy given that NHTSA is not a typical bankruptcy creditor seeking money. NHTSA’s interest is typically ensuring that recalls are carried out to the

maximum extent possible. The rulemaking contemplated under RIN 2127-AL80 pertains to a category of “covered rulemakings,” defined at IIJA § 24210(a)(2)(A), as reportable agency rulemaking actions related to 49 U.S.C. 30120(A) and so is included in this report.

IIJA § 24210(a)(2)(B) – Corporate Responsibility for Reports in a Defect or Noncompliance Investigation (49 U.S.C. 30166(o))

NHTSA has initiated a rulemaking, titled “49 CFR Part 510 Information Gathering Powers” (RIN 2127-AL69), to implement the requirements of 49 U.S.C. 30166(o) (as amended by § 24112 of the FAST Act). NHTSA is currently working on an NPRM in this rulemaking. NHTSA has been delayed in completing this rulemaking due to existing work on other required rulemakings consuming more time than was originally anticipated. Once the proposal is published, and public comments in response to the proposal are received and considered, NHTSA plans to complete the rulemaking as soon as is feasible. NHTSA maintains a robust enforcement program and is committed to ensuring that the motor vehicles and motor vehicle equipment the American people use every day are safe. To that end, submissions made by companies to the agency are already subject to civil and criminal penalties, and NHTSA already has a process for requiring certified responses through use of special orders. NHTSA did not meet the deadline required by 49 U.S.C. 30166(o) because of competing regulatory priorities for which NHTSA does not already have in place clear alternative civil and criminal remedies.

IIJA 24210(a)(2)(C) – Whistle Blower Program (49 U.S.C. 30172)

NHTSA has completed a rulemaking, titled “Whistleblower Program” (RIN 2127-AL85), to implement the requirements of 49 U.S.C. 30172 (as enacted by § 24352 of the FAST Act). NHTSA did not meet the deadline required by 49 U.S.C. 30172 because of complexities involved in defining and implementing the regulations, related in part to NHTSA’s ongoing whistleblower protection enhancement efforts that led to NHTSA’s first ever whistleblower award in November 2021. NHTSA will remove this entry from future iterations of this report.

IIJA 24210(a)(2)(D) – NCAP Monroney Label (49 U.S.C. 32302(c))

NHTSA published a [Request for Comments](#) on March 9, 2022 (87 FR 13452) related to NHTSA’s New Car Assessment Program (NCAP). The May 2022 Request for Comments proposed significant updates to the NCAP Program, including proposing to add four new crash avoidance technologies to the NCAP Program and proposing a roadmap for upgrading NCAP over the next 10 years. On December 3, 2024, NHTSA published a Final NCAP Decision [Notice](#) related to the 2022 Request for Comments. NHTSA next will engage in rulemaking as soon as is feasible after the new NCAP crash avoidance technology rating system is implemented, beginning with the 2026 model year. Preceding the Monroney Label rulemaking effort, the Agency must complete qualitative and quantitative consumer research to inform what safety information and graphics would be clearest and most incentivizing to consumers. NHTSA is

working to complete that requisite research early in calendar year 2025. NHTSA did not meet the deadline required by 49 U.S.C. 32302(c) (as enacted by the FAST Act § 24322) because of complexities, including the above-mentioned research, which have effects on both the timing, initiation, and completion of the needed consumer research to inform the rulemaking action.

IIJA 24210(a)(2)(E) – Vehicle Defect Reporting Requirements (49 U.S.C. 32302(d))

NHTSA has an ongoing rulemaking, titled “Part 575 Vehicle Defect Reporting Requirements” (RIN 2127-AL33), related to the requirements in 49 U.S.C. 32302(d) (as enacted by § 31306 of MAP-21). NHTSA published an [NPRM](#) in this rulemaking in 2016 (81 FR 85478). In light of the lapse of time since the proposal was published, NHTSA is working on a supplemental notice of proposed rulemaking (SNPRM) to obtain more current public input and potentially reconsider the scope of the initial proposal. NHTSA will complete the rulemaking as soon as feasible after the SNPRM is published and public comments in response to the SNPRM are received and considered. NHTSA did not meet the deadline required by 49 U.S.C. 32302(d) in part because of its decision to seek additional public input to inform the rulemaking action.

IIJA 24210(a)(2)(F) – Fuel Efficiency and Tire Wet Traction Minimum Performance (49 U.S.C. 32304A(b) and (c))

NHTSA has an ongoing rulemaking, titled “Tire Fuel Efficiency and Wet Traction Minimum Performance Standards” (RIN 2127-AM08), related to the requirements in 49 U.S.C. 32304A(b) and (c) (as enacted by § 24332 of the FAST Act). NHTSA aims to publish the NPRM in this rulemaking in August 2025. NHTSA will then complete the rulemaking as soon as feasible after public comments in response to the NPRM are received and considered. In preparation for this effort, NHTSA completed its first baseline assessment in 2017 of replacement tires sold in the U.S., but the data no longer represent the current fleet. NHTSA is working to update both rolling resistance and wet traction performance data of the U.S. fleet of tires. After assessing the more-than-50,000 variations of tires available for purchase in the U.S., NHTSA will use that updated baseline performance data to inform a proposed rulemaking that aims to maximize fuel efficiency without compromising wet traction/safety. This rulemaking is delayed in part because of the need to update the baseline performance data of today’s tire fleet to inform the rulemaking proposal.

IIJA 24210(a)(2)(G) – Tire Pressure Monitoring Systems (TPMS) (FAST Act § 24115)

NHTSA has been conducting a research program on the field performance of available TPMS technologies and expects to complete this body of research in calendar year 2025. The agency will determine appropriate next steps based on the research results and will keep the relevant committees apprised of its progress. NHTSA did not meet the deadline required by FAST Act § 24115 because of complexities involved in defining regulations to implement the statutory requirements. Specifically, the FAST Act § 24115(a)(1) requires a tire pressure monitoring

system that “cannot be overridden, reset, or recalibrated in such a way that the system will no longer detect when the inflation pressure in one or more of the vehicle’s tires has fallen to or below a significantly underinflated pressure level,” while 24115(b)(1) requires a system that “can be reset or recalibrated to accommodate...the repositioning of tire sensor locations on vehicles with split inflation pressure recommendations...tire rotation...or...replacement tires or wheels of a different size than the original equipment tires or wheels.” NHTSA continues to evaluate how to carry out the mandate.

IIJA 24210(a)(2)(H) – Application of Remedies for Defects and Noncompliance (FAST Act § 24402)

NHTSA has an ongoing rulemaking, titled “49 CFR Part 573, Defect and Noncompliance Responsibility and Reports” (RIN 2127-AL80), to address numerous provisions related to NHTSA’s part 573 regulations, including updating part 573 to reflect the changes to 49 U.S.C. 30120(g)(1) made by the FAST Act § 24402. NHTSA aims to publish a NPRM in the Spring of 2025 and complete the rulemaking as soon as feasible after public comments in response to the NPRM are received and considered. This change to the regulation will have no substantive effect since the statute is self-executing and therefore already increased the period for free remedies. NHTSA did not meet the deadline for completing this mandate because, as noted above, NHTSA is also making multiple other amendments to Part 573 as part of this rulemaking.

IIJA 24210((a)(2)(I) – Retention of Safety Records by Manufacturers (FAST Act § 24403)

NHTSA has completed a rulemaking, titled “49 CFR Part 576 Record Retention” (RIN 2127-AL81), related to the requirements in § 24403 of the FAST Act. NHTSA published a [final rule](#) in this rulemaking on August 16, 2024 (89 FR 66629) which extends the time that manufacturers are required to retain certain records that may be related to motor vehicle safety to 10 years. NHTSA did not meet the deadline required by FAST Act § 24403 for completing this rulemaking due to existing work on other required rulemakings consuming more time than was originally anticipated and prioritizing other mandated rulemakings, including those that will have more immediate safety effects. NHTSA will remove this entry from future iterations of this report.

IIJA 24210(a)(2)(K)(i) – Electronic Notification of Defects (FAST Act § 24104)

NHTSA has an ongoing rulemaking, titled “49 CFR Part 577 Defect and Noncompliance Notification” (RIN 2127-AL66), that was initiated in response to § 24104 of the FAST Act. NHTSA published an [NPRM](#) in this rulemaking in 2016 (81 FR 60332), proposing to ensure that electronic recall notifications reach vehicle owners. NHTSA has determined that a supplemental notice is necessary to address issues raised in comments to the 2016 proposal and to offer for public comment additional proposals and changes informed by management of recalls in the intervening years, including the Takata recalls. In those recalls, manufacturers frequently utilized

various forms of recall outreach, including electronic communications. NHTSA is working on an SNPRM and will complete the rulemaking as soon as feasible after the SNPRM is published and public comments in response to the SNPRM are received and considered. NHTSA did not meet the deadline required by FAST Act § 24104 for completing this rulemaking in part because of the need to conduct supplemental rulemaking.

IIJA 24210(a)(2)(M) – Ease-of-Use of Child Restraint Anchorage Systems (MAP-21 § 31502)

NHTSA has an ongoing rulemaking, titled “Upgrade of LATCH Usability Requirements (MAP-21)” (2127-AL20), that was initiated to fulfill the requirements of § 31502 of MAP-21. NHTSA published an [NPRM](#) in 2015 in this rulemaking (80 FR 3743). NHTSA did not meet the deadline required by MAP-21 § 31502 to complete this rulemaking because of complexities involved in defining and implementing the regulations, as well as delays introduced by the need to perform additional research in response to comments. To respond to comments on the NPRM, NHTSA conducted extensive research to address the objectivity, repeatability, and reproducibility of the test procedures. NHTSA has completed the requisite research and plans to publish the final rule in early 2025 to complete this MAP-21 mandate.

IIJA 24210(a)(2)(N) – Rear Seat Belt Reminder Systems (MAP-21 § 31503)

NHTSA has an ongoing rulemaking titled, “Rear Seat Belt Reminder System” (RIN 2127-AL37), to implement the requirements of MAP-21 §31503. NHTSA published an advance notice of proposed rulemaking ([ANPRM](#) in 2019 (84 FR 51076) and an [NPRM](#) in 2023 (88 FR 61674). NHTSA plans to publish the final rule in early 2025. NHTSA did not meet the deadline required by MAP-21 § 31503 because additional time was needed to consider comments on the proposed rule and develop a final rule supported by the rulemaking record.

IIJA 24210(a)(2)(O) – Motorcoach Rulemakings (MAP-21 § 32703)

NHTSA has completed a rulemaking, titled “Federal Motor Vehicle Safety Standards; Anti-Ejection Glazing for Bus Portals; Bus Emergency Exits and Window Retention and Release” (RIN 2127-AL36), related to the requirements in § 32703(b)(2) of MAP-21. NHTSA published a final rule in this rulemaking on October 30, 2024 (89 FR 86255) which establishes Federal Motor Vehicle Safety Standard (FMVSS) No. 217a, “Anti-ejection glazing for bus portals; Mandatory applicability beginning October 30, 2027,” to drive the installation of advanced glazing in over-the-road buses (motorcoaches) and other large buses to reduce passenger and driver ejections. NHTSA did not meet the deadline required by MAP-21 § 32703(b)(2), Anti-Ejection Safety Countermeasures, to complete this rulemaking because of the need to complete the Motorcoach Structural Integrity Standard rulemaking required by MAP-21 § 32703(b)(1), finalized under RIN 2127-AK96 in December of 2021. This rule established standards NHTSA needed to consider in developing an ejection mitigation requirement. NHTSA will remove this entry from future iterations of this report.

NHTSA has an ongoing rulemaking titled, “Federal Motor Vehicle Safety Standards; New Pneumatic Tires for Motor Vehicles With a Gross Vehicle Weight Rating (GVWR) of More Than 4,536 Kilograms (10,000 Pounds) and Motorcycles” (RIN 2127-AK17) to implement the requirements of §32703(d)(1) of MAP-21. NHTSA published an [NPRM](#) in 2010 (75 FR 73998), launched additional research in response to comments from the 2010 NPRM, and published a [SNPRM](#) in 2013. NHTSA is considering next steps on the proposed endurance test requirements and a new high-speed test for several heavy load range tires. NHTSA did not meet the deadline required by MAP-21 § 32703(d)(1), New Pneumatic Tires for Heavy Vehicles, because of the need to publish a supplemental proposal and conduct the above-mentioned additional testing prior to moving forward with the rulemaking process.

IIJA 24210(a)(2)(P) –Rulemakings Required Under IIJA

Sec. 23010. Automatic Emergency Braking

NHTSA has an ongoing rulemaking, titled, “Heavy Vehicle Automatic Emergency Braking” (RIN 2127-AM36), to implement the requirements of §23010 of IIJA. NHTSA published an [NPRM](#) (88 FR 43174) on July 6, 2023 for heavy- and medium-duty vehicle automatic emergency braking and is presently working to complete the rulemaking associated with this portion of IIJA § 23010 in 2025. NHTSA did not complete the rulemaking within the mandated two-year timeline because additional time was needed to consider comments on the proposed rule and develop a final rule supported by the rulemaking record.

Sec. 23023. Limousine Compliance with Federal Safety Standards

NHTSA has an ongoing rulemaking, titled, “Seat Belts in Limousines” (RIN 2127-AM48), to implement the requirements of section 23023 of IIJA. NHTSA is working to complete the research to support a proposed rulemaking and is aiming to publish an NPRM in Spring 2025. NHTSA will then complete the rulemaking associated with IIJA § 23023 as soon as feasible after public comments in response to the proposal are received and considered. NHTSA did not complete the rulemaking within the mandated two-year timeline because of the need to complete the above-mentioned research prior to moving forward with the rulemaking process.

Sec. 24204. Motor Vehicle Seatback Safety Standards

NHTSA has completed this rulemaking mandate. NHTSA published this required [ANPRM](#) on July 16, 2024 (89 FR 57998), fulfilling the mandate established under IIJA § 24204(a). NHTSA will remove this entry from future iterations of this report.

Sec. 24205. Automatic shutoff

NHTSA has an ongoing rulemaking, titled, “Automatic Shutoff and Keyless Ignition Systems”¹ (RIN 2127-AK88), to implement the requirements of IIJA § 24205. NHTSA published an NPRM in 2011 (76 FR 77183). NHTSA stated in the previous report that it was conducting research to determine the maximum period of idle time allowable to prevent carbon monoxide poisoning. NHTSA continues to conduct this preliminary research, along with analysis of automatic shut-off studies on vehicles equipped with keyless ignition systems and consideration of unintended consequences. Upon completion of this research, the agency plans to publish an SNPRM in Summer 2025 and expects to complete the rulemaking associated with IIJA § 24205 as soon as feasible after public comments in response to the SNPRM are received and considered. NHTSA did not complete the rulemaking within the mandated two-year timeline because of the need to complete the above-mentioned research prior to moving forward with the rulemaking process.

Sec. 24208(a). Crash Avoidance Technology; Forward Collision Warning and Automatic Emergency Braking

NHTSA has completed this rulemaking mandate. NHTSA published an [NPRM](#) (88 FR 38632) on June 13, 2023 and a [final rule](#) (89 FR 39686) on May 9, 2024, under RIN 2127-AM37, that establishes requirements for light vehicle automatic emergency braking, including pedestrian automatic emergency braking, and forward collision warning systems, satisfying the mandate under 49 U.S.C. 30129(a)(1)(A) (enacted as part of IIJA § 24208(a)). NHTSA will remove this entry from future iterations of this report.

Sec. 24208(a). Crash Avoidance Technology; Lane Departure Warning and Lane Keeping Assist

NHTSA has an ongoing rulemaking, titled, “Minimum Performance Standards for Lane Departure Warning and Lane-Keeping Assist Systems” (RIN 2127-AM52), to implement the requirements of 49 U.S.C. 30129(a)(1)(B) (enacted as part of IIJA § 24208(a)). NHTSA continues its extensive research and analysis to develop and finalize the test procedures and criteria to objectively evaluate lane keeping technologies. In addition, NHTSA is also working to assess the cost/benefit data and information to inform the rulemaking effort and plans to publish an NPRM in Fall 2025. NHTSA will then complete the rulemaking associated with 49 U.S.C. 30129(a)(1)(B) as soon as is feasible after public comments in response to the proposal are received and considered. NHTSA did not complete the rulemaking earlier because of the need to complete the above-mentioned research prior to moving forward with the rulemaking process.

Sec. 24212(b)(1). Performance-based Headlamp Standards

¹ The 2011 NPRM, titled “Federal Motor Vehicle Safety Standards; Theft Protection and Rollaway Prevention,” in part addressed vehicles left with the engine still running, increasing the chances of vehicle rollaway or carbon monoxide poisoning in an enclosed area. NHTSA has since retitled the rulemaking to include and bring into scope via an SNPRM requirements of IIJA § 24205.

NHTSA has an ongoing rulemaking, titled, “Amend FMVSS No. 108 For On-Vehicle Headlamp Testing” (RIN 2127-AM51), to implement the requirements of IIJA § 24212(b)(1). NHTSA continues to conduct research and analysis to inform this rulemaking effort. NHTSA plans to publish a NPRM in Summer 2025 and will complete the rulemaking associated with IIJA § 24212(b)(1) as soon as is feasible after public comments in response to the proposal are received and considered. NHTSA did not complete the rulemaking within the mandated two-year timeline because of the need to complete the above-mentioned research prior to moving forward with the rulemaking process.

Sec. 24220. Advanced Impaired Driving Technology

NHTSA has an ongoing rulemaking, titled “Advanced Impaired Driving Technology”, to implement the requirements of IIJA § 24220. NHTSA published an [ANPRM](#) (89 FR 830) on January 5, 2024, under RIN 2127-AM50. NHTSA is reviewing the more than 18,000 comments received to the docket and continuing extensive research of available technologies that can meet the requirements of the Motor Vehicle Safety Act to inform next steps. While significant advances have been made in impairment detection, the technology has not yet been implemented on production vehicles offered for sale to the public. NHTSA is working to identify detection technologies that can reliably and accurately “ensure the prevention of alcohol-impaired driving fatalities” per IIJA § 24220(a)(5). The technology can then inform NHTSA efforts to develop a repeatable, reproducible, and objective performance standard to address impaired driving.

Sec. 24222. Child Safety

NHTSA has an ongoing rulemaking, titled, “Rear Designated Seating Position Alert” (RIN 2127-AM49), to implement the requirements of 49 U.S.C. 32304B (enacted as IIJA § 24222). In support of this rulemaking, NHTSA continues to conduct extensive research and analysis on technologies designed to detect unattended occupants as they become available. Specifically, NHTSA is researching existing and prototype technologies both inside and outside of the laboratory, as well as conducting consumer behavioral analysis and holding active dialogues with relevant experts around the world. NHTSA has been delayed in completing the rulemaking because an effective technology is not yet available that can inform the agency’s development of an objective performance standard that would demonstrably save lives and is repeatable and reproducible. NHTSA believes that the technology will have advanced sufficiently such that it aims to publish a NPRM in 2025. The Agency will then work to complete the rulemaking associated with IIJA § 24222 as soon as is feasible.