

# Add Criminal Penalties To Product Liability Laws? Would It Make Products Safer?



**REP. HENRY WAXMAN**  
(D-CA)

I supported a bill recently passed in the House, H.R. 5164, because we need legislation that will improve the flow of important safety information from motor vehicle and parts manufacturers to federal regulators and consumers. This bill does not do all it should, but it does represent a modest step forward.

However, there are several deficiencies in the bill. Foremost among these are provisions that have the appearance of criminal penalties but will, in all likelihood, have no meaningful impact.

The criminal provisions in this bill would only extend to a particularly exotic variety of false statements. It does nothing to punish a manufacturer's willful introduction of a deadly and defective product onto the market. Nor does it punish a manufacturer's knowing failure to act to prevent a deadly

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**REP. STEVE LARGENT**  
(R-OK)

Shakespeare wrote, "Striving to do better, oft we mar what's well."

America's system of corporate liability has helped produce the most efficient corporations and the safest products in the world. Yet, some want to abandon this system, and its underlying principles, invoking criminal law to punish a company's employees for defective products.

There is often strong evidence that corporate citizens suppress information that may have caused needless tragedy. However, in anger, we should not recklessly topple our product liability system.

The question is how best to achieve justice. While vengeance cries out for prison and punishment, wisdom calls us to reasonably discern which course will be best for future Americans.

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