

Hot Cars Act section of the Moving Forward Act (H.R. 2)

TITLE II—MOTOR VEHICLE SAFETY

SEC. 32001. SAFETY WARNING FOR OCCUPANTS OF HOT CARS.

(a) OCCUPANT SAFETY.—

(1) IN GENERAL.—Chapter 301 of title 49, United States Code, is amended by inserting after section 30128 the following:

“§ 30129. Occupant safety

“(a) DEFINITIONS.—In this section:

“(1) PASSENGER MOTOR VEHICLE.—The term ‘passenger motor vehicle’ has the meaning given that term in section 32101.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(b) RULEMAKING.—Not later than 2 years after the date of the enactment of this section, the Secretary shall issue a final rule prescribing a motor vehicle safety standard that requires all new passenger motor vehicles with a gross vehicle weight of 10,000 pounds or less to be equipped with a system to detect the presence of an occupant in the passenger compartment of the vehicle when the vehicle engine or motor is deactivated and engage a warning.

“(c) LIMITATION ON CAPABILITY OF BEING DISABLED.—The motor vehicle safety standard prescribed under subsection (b) shall require that the system installed in a new passenger motor vehicle cannot be disabled, over ridden, reset, or recalibrated in such a way that the system will no longer detect the presence of an occupant in the passenger compartment of the vehicle when the vehicle engine or motor is deactivated and engage a warning.

“(d) MEANS.—

“(1) IN GENERAL.—The warning required under the motor vehicle safety standard prescribed under subsection (b)—

“(A) shall include a distinct auditory and visual warning to notify individuals inside and outside of the vehicle of the presence of an occupant, which shall be combined with an interior haptic warning; and

“(B) shall be activated when the vehicle engine or motor is deactivated and the presence of an occupant is detected.

“(2) CONSIDERATION.—In developing such warning, the Secretary shall also consider including a secondary additional alert to notify operators that are not in close proximity to the vehicle.

“(e) COMPLIANCE.—The rule issued under subsection (b) shall require full compliance with the motor vehicle safety standard prescribed in the rule not later than 2 years after the date on which the final rule is issued.”

(2) CLERICAL AMENDMENT.—The table of sections for chapter 301 of title 49, United States Code, is amended by inserting after the item relating to section 30128 the following:

“30129. Occupant safety.”

(b) STUDY.—

(1) INDEPENDENT STUDY.—

(A) CONTRACT.—Not later than 90 days after issuing the final rule under section 30129(b) of title 49, United States Code, as added by subsection (a)(1), the Secretary shall enter into a contract with an independent third party to perform the services under this sub paragraph.

(B) STUDY.—

(i) IN GENERAL.—Under the contract between the Secretary and an independent third party under this subparagraph, the independent third party shall carry out a study on retrofitting existing passenger motor vehicles with technology that meets the safety need addressed by the motor vehicle safety standard prescribed under such section 30129(b) of title 49, United States Code, as added by subsection (a)(1).

(ii) ELEMENTS.—In carrying out the study required under clause (i), the independent third party shall—

(I) survey and evaluate a variety of methods used by current and emerging technology or products to solve the problem of occupants being left unattended in vehicles and occupants independently accessing unoccupied vehicles;

(II) make recommendations for manufacturers of such technology or products to undergo a functional safety performance assessment to ensure that the products perform as designed by the manufacturer under a variety of real-world conditions; and

(III) provide recommendations for consumers on how to select such technology or products in order to retrofit existing vehicles.

(iii) AVAILABILITY THROUGH NHTSA WEBSITE.—The Secretary shall make the recommendations provided under clause (ii)(III) available to the public through the website of the National Highway Traffic Safety Administration.

(2) PUBLICATION; PUBLIC COMMENT.—Not later than 2 years after the date on which the Secretary issues the final rule under section 30129(b) of title 49, United States Code, as added by subsection (a)(1), the Secretary shall—

(A) publish the study required under paragraph (1)(B) in the Federal Register; and

(B) provide a period for public comment of not longer than 90 days after the study is published under subparagraph (A).

(3) SUBMISSION TO CONGRESS.—Not later than 90 days after the conclusion of the public comment period under paragraph (2)(B), the Secretary shall publish in the Federal Register and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives the study required by paragraph (1)(B). The submission shall include all public comments in response to the study received by the Secretary upon publication in the Federal Register.

(4) DEFINITIONS.—In this paragraph—

(A) the term “child restraint system” has the meaning given that term in section 571.213 of title 49, Code of Federal Regulations (or any successor regulation);

(B) the term “independent third party” means a person who does not have any financial or contractual ties with any person producing or supplying equipment for occupant detection or reminder warning systems, child restraint systems, or passenger motor vehicles;

(C) the term “passenger motor vehicle” has the meaning given that term in section 32101 of title 49, United States Code; and

(D) the term “Secretary” means the Secretary of Transportation.

<https://transportation.house.gov/imo/media/doc/BILLS-116HR2-RCP116-54.pdf>