

Blumenthal 1 (modified)

Richard Blumenthal

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To direct the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

**S. 1885**

To support the development of highly automated vehicle safety technologies, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BLUMENTHAL (for himself and Mr. WICKER)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . CHILD SAFETY.**

3 (a) AMENDMENT.—

4 (1) IN GENERAL.—Chapter 323 of title 49,  
5 United States Code, is amended by adding after sec-  
6 tion 32304A the following:

7 **“§ 32304B. Child safety**

8 **“(a) DEFINITIONS.—**In this section:

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

1           “(2) REAR DESIGNATED SEATING POSITION.—

2           The term ‘rear designated seating position’ means  
3           designated seating positions that are rearward of the  
4           front seat.

5           “(3) SECRETARY.—The term ‘Secretary’ means  
6           the Secretary of Transportation.

7           “(b) RULEMAKING.—Not later than 2 years after the  
8           date of the enactment of the American Vision for Safer  
9           Transportation through Advancement of Revolutionary  
10          Technologies Act, the Secretary shall issue a final rule re-  
11          quiring all new passenger motor vehicles weighing less  
12          than 10,000 pounds gross vehicle weight to be equipped  
13          with a system to alert the operator to check rear des-  
14          ignated seating positions after the vehicle engine or motor  
15          is deactivated by the operator.

16          “(c) MEANS.—The alert required under subsection  
17          (b)—

18                 “(1) shall include a distinct auditory and visual  
19                 alert, which may be combined with a haptic alert;  
20                 and

21                 “(2) shall be activated when the vehicle motor  
22                 is deactivated by the operator.

23          “(d) ADD-ON CHILD RESTRAINT SYSTEMS.—In  
24          issuing the final rule required by subsection (b), the Sec-  
25          retary shall consider additional technologies that work

1 with add-on child restraint systems that achieve the same  
2 purpose of alerting the driver in addition to the vehicle-  
3 based system.

4 “(e) PHASE-IN.—The rule issued pursuant to sub-  
5 section (b) shall require full compliance with the rule be-  
6 ginning on September 1st of the first calendar year that  
7 begins more than 30 months after the date on which the  
8 final rule is issued.”.

9 (2) CLERICAL AMENDMENT.—The analysis for  
10 chapter 323 of title 49, United States Code, is  
11 amended by striking the item relating to section  
12 32304A and inserting the following:

“32304A. Consumer tire information and standards.  
“32304B. Child safety.”.

13 (b) AWARENESS OF CHILDREN IN MOTOR VEHI-  
14 CLES.—Section 402 of title 23, United States Code, is  
15 amended by inserting after subsection (k) the following:

16 “(1) UNATTENDED PASSENGERS.—

17 “(1) IN GENERAL.—Each State may use a por-  
18 tion of the amounts it receives under this section to  
19 carry out a program to educate the public on the  
20 risks of leaving a child or unattended passenger in  
21 a vehicle after the vehicle motor is deactivated by  
22 the operator.

23 “(2) PROGRAM PLACEMENT.—A State does not  
24 need to carry out the program described in para-

1 graph (1) through the State transportation or high-  
2 way safety office.”.

3 (c) STUDY AND REPORT.—

4 (1) INDEPENDENT STUDY.—

5 (A) AGREEMENT.—

6 (i) IN GENERAL.—The Secretary of  
7 Transportation shall enter into an agree-  
8 ment or a contract with an independent  
9 third-party that does not have any finan-  
10 cial or contractual ties with passenger  
11 motor vehicle manufacturers or technology  
12 companies producing child reminder alert  
13 systems to perform the services under this  
14 paragraph.

15 (ii) TIMING.—The Secretary shall  
16 enter into the agreement or contract de-  
17 scribed in clause (i) not later than the date  
18 that the Secretary determines is the latest  
19 date by which completion of the services  
20 under this paragraph will allow the Sec-  
21 retary enough time to prepare and submit  
22 the study required under paragraph (2) in  
23 accordance with such paragraph.

24 (B) INDEPENDENT STUDY.—

1 (i) IN GENERAL.—Under an agree-  
2 ment between the Secretary and an inde-  
3 pendent third-party under this paragraph,  
4 the independent third-party shall carry out  
5 a study on retrofitting existing passenger  
6 motor vehicles, and add-on child restraint  
7 systems, with technology to address the  
8 problem of children left in rear designated  
9 seating positions of motor vehicles after  
10 the motor vehicles have been deactivated  
11 by the operator of the vehicle.

12 (ii) ELEMENTS.—In carrying out the  
13 study required under clause (i), the inde-  
14 pendent third-party shall—

15 (I) survey and evaluate a variety  
16 of methods used by current and  
17 emerging aftermarket technology or  
18 products, including add-on child re-  
19 straint systems, to solve the problem  
20 of children being left in a rear des-  
21 ignated seating position after the vehi-  
22 cle motor is deactivated by the oper-  
23 ator;

24 (II) make recommendations for  
25 manufacturers of such technology or

1 products to undergo a functional safe-  
2 ty performance to ensure that the  
3 products, including add-on child re-  
4 straint systems, perform as designed  
5 by the manufacturer under a variety  
6 of real world conditions; and

7 (III) provide recommendations  
8 for consumers on how to select such  
9 technology or products in order to ret-  
10 rofit existing vehicles and for add-on  
11 child restraint systems.

12 (2) REPORT.—During the 180-day period be-  
13 ginning on the date on which the Secretary of  
14 Transportation issues the final rule required under  
15 section 32304B(b) of title 49, United States Code,  
16 as added by subsection (a)(1), the Secretary shall  
17 submit the results of the study carried out under  
18 paragraph (1) to the Committee on Commerce;  
19 Science, and Transportation of the Senate and the  
20 Committee on Energy and Commerce of the House  
21 of Representatives.