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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R.

To require the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. RYAN introduced the following bill; which was referred to the Committee
on _____

A BILL

To require the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hot Cars Act of
5 2019”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Children and domestic animals left unat-
2 tended in vehicles, or independently accessing unoc-
3 cupied vehicles on their own, are a significant public
4 health and safety problem.

5 (2) Thirty-eight children on average are killed
6 by hyperthermia each year as a result of being left
7 unattended in a vehicle or as a result of gaining ac-
8 cess independently into an unoccupied vehicle.

9 (3) In 2018, at least 52 children were killed by
10 hyperthermia as a result of being left unattended in
11 a vehicle or as a result of gaining access independ-
12 ently into an unoccupied vehicle.

13 (4) Between 1990 and 2018, at least 889 chil-
14 dren have been killed by hyperthermia as a result of
15 being left unattended in a vehicle or as a result of
16 gaining access independently into an unoccupied ve-
17 hicle. Of those deaths, where the circumstances were
18 known, 27 percent were the result of the child ac-
19 cessing the vehicle independently.

20 (5) Fourteen percent of parents reported leav-
21 ing a child 6 or younger in a parked, locked car
22 alone. According to a 2014 Public Opinion Strate-
23 gies survey, fourteen percent of parents reported
24 leaving a child six or younger in a parked, locked car
25 alone. The survey finds that, according to United

1 States Census data, that’s nearly 2,000,000 United
2 States parents transporting more than 3,300,000
3 United States children.

4 (6) In 2018, at least 57 domestic animals were
5 killed as a result of being left unattended in a vehi-
6 cle.

7 (7) Technology currently exists to detect the
8 presence of a child in the rear seat of a vehicle.

9 (b) PURPOSE.—The purpose of this Act is to reduce
10 the deaths and injuries that result from occupants being
11 left in unattended vehicles as well as instances in which
12 children independently access an unoccupied vehicle.

13 **SEC. 3. OCCUPANT SAFETY.**

14 (a) AMENDMENT.—

15 (1) IN GENERAL.—Chapter 323 of title 49,
16 United States Code, is amended by adding after sec-
17 tion 32304A the following new section:

18 **“§ 32304B. Occupant safety**

19 “(a) DEFINITIONS.—In this section:

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

23 “(2) REAR DESIGNATED SEATING POSITION.—
24 The term ‘rear designated seating position’ means

1 all designated seating positions that are rearward of
2 the front seat.

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

5 “(b) RULEMAKING.—Not later than 2 years after the
6 date of the enactment of the Hot Cars Act of 2019, the
7 Secretary shall issue a final rule requiring all new pas-
8 senger motor vehicles with a gross vehicle weight of
9 10,000 pounds or less to be equipped with a system to
10 detect the presence of an occupant in a rear designated
11 seating position after the vehicle engine or motor is deacti-
12 vated and engage a warning. In developing the rule re-
13 quired under this subsection, the Secretary shall consider
14 requiring systems that also detect the presence of any oc-
15 cupant unable to independently exit the vehicle as well as
16 detect the presence of a child who has entered an unoccu-
17 pied vehicle independently.

18 “(c) MEANS.—The alert required under subsection
19 (b)—

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

1 “(2) shall be activated when the vehicle motor
2 is deactivated by the operator and the presence of an
3 occupant is detected.

4 “(d) PHASE-IN.—The rule issued pursuant to sub-
5 section (b) shall require full compliance with the rule not
6 later than 2 years after the date on which the final rule
7 is issued.”.

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

“32304A. Consumer tire information and standards

“32304B. Child safety”.

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

15 “(1) UNATTENDED PASSENGERS.—

16 “(1) IN GENERAL.—Each State shall use a por-
17 tion of the amount it receives under this section to
18 carry out a program to educate the public on the
19 risks of leaving an occupant in a vehicle.

20 “(2) PROGRAM PLACEMENT.—A State does not
21 need to carry out the program described in para-
22 graph (1) through the State transportation or high-
23 way safety office.”.

24 (c) STUDY AND REPORT.—

1 (1) INDEPENDENT STUDY.—

2 (A) AGREEMENT.—

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

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

22 (B) INDEPENDENT STUDY.—

23 (i) IN GENERAL.—Under an agree-
24 ment between the Secretary and an inde-
25 pendent third-party under this paragraph,

1 the independent third-party shall carry out
2 a study on retrofitting existing passenger
3 motor vehicles with technology to address
4 the problem of occupants left unattended
5 in motor vehicles.

6 (ii) ELEMENTS.—In carrying out the
7 study required under clause (i), the inde-
8 pendent third-party shall—

9 (I) survey and evaluate a variety
10 of methods used by current and
11 emerging aftermarket technology or
12 products to solve the problem of occu-
13 pants being left unattended in the ve-
14 hicle or occupants gaining access to
15 the vehicle independently;

16 (II) make recommendations for
17 manufacturers of such technology or
18 products to undergo a functional safe-
19 ty performance to ensure that the
20 products perform as designed by the
21 manufacturer under a variety of real
22 world conditions; and

23 (III) provide recommendations
24 for consumers on how to select such

1 technology or products in order to ret-
2 rofit existing vehicles.

3 (2) REPORT.—During the 180-day period be-
4 ginning on the date on which the Secretary of
5 Transportation issues the final rule required under
6 section 32304B(b) of title 49, United States Code,
7 as added by subsection (a)(1), the Secretary shall
8 submit the results of the study carried out under
9 paragraph (1) to the Committee on Commerce,
10 Science, and Transportation of the Senate and the
11 Committee on Energy and Commerce of the House
12 of Representatives.