

116TH CONGRESS  
1ST SESSION

# S. 1601

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, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Mr. WICKER (for himself, Mr. BLUMENTHAL, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

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, 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 “Helping Overcome  
5 Trauma for Children Alone in Rear Seats Act of 2019”  
6 or the “HOT CARS Act of 2019”.

7 **SEC. 2. CHILD SAFETY.**

8 (a) AMENDMENT.—

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

4   **“§ 32304B. Child safety**

5           “(a) DEFINITIONS.—In this section:

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

9           “(2) REAR DESIGNATED SEATING POSITION.—  
10          The term ‘rear designated seating position’ means  
11          designated seating positions that are rearward of the  
12          front seat.

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

15          “(b) RULEMAKING.—Not later than 2 years after the  
16          date of the enactment of the HOT CARS Act of 2019,  
17          the Secretary shall issue a final rule requiring all new pas-  
18          senger motor vehicles weighing less than 10,000 pounds  
19          gross vehicle weight to be equipped with a system to alert  
20          the operator to check rear designated seating positions  
21          after the vehicle engine or motor is deactivated by the op-  
22          erator.

23          “(c) MEANS.—The alert required under subsection  
24          (b)—

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

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

6           “(d) PHASE-IN.—The rule issued pursuant to sub-  
7 section (b) shall require full compliance with the rule be-  
8 ginning on September 1st of the first calendar year that  
9 begins 2 years after the date on which the final rule is  
10 issued.”.

11           (2) CLERICAL AMENDMENT.—The analysis for  
12 chapter 323 of title 49, United States Code, is  
13 amended by striking the item relating to section  
14 32304A and inserting the following:

“32304A. Consumer tire information and standards.

“32304B. Child safety.”.

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

18           “(1) UNATTENDED PASSENGERS.—

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

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

5           (c) STUDY AND REPORT.—

6           (1) INDEPENDENT STUDY.—

7           (A) AGREEMENT.—

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

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

1 (B) INDEPENDENT STUDY.—

2 (i) IN GENERAL.—Under an agree-  
3 ment between the Secretary and an inde-  
4 pendent third-party under this paragraph,  
5 the independent third-party shall carry out  
6 a study on retrofitting existing passenger  
7 motor vehicles with technology to address  
8 the problem of children left in rear des-  
9 ignated seating positions of motor vehicles  
10 after the motor vehicles have been deacti-  
11 vated 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 to solve the problem of chil-  
19 dren being left in a rear designated  
20 seating position after the vehicle  
21 motor is deactivated by the operator;

22 (II) make recommendations for  
23 manufacturers of such technology or  
24 products to undergo a functional safe-  
25 ty performance to ensure that the

1 products perform as designed by the  
2 manufacturer under a variety of real  
3 world conditions; and

4 (III) provide recommendations  
5 for consumers on how to select such  
6 technology or products in order to ret-  
7 rofit existing vehicles.

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

○