

117TH CONGRESS
1ST SESSION

H. R. 3164

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

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2021

Mr. RYAN (for himself and Ms. SCHAKOWSKY) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Transportation to issue a rule that requires 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 2021”.

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

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

1 (1) Children and pets left unattended in vehi-
2 cles, or children independently accessing unoccupied
3 vehicles, are a significant public health and safety
4 problem.

5 (2) Millions of children are transported every
6 day in the back seat of vehicles and are at risk of
7 being unknowingly left behind and dying or suffering
8 serious injuries from heatstroke.

9 (3) Data collected by KidsAndCars.org found
10 information about at least 8,000 children left alone
11 in hot cars or as a result of gaining access independ-
12 ently into unoccupied cars between 1990 and 2020.
13 Of those, over 990 children have been killed due to
14 heatstroke and more than 1,200 children were in-
15 jured.

16 (4) Over the past 30 years, child hot car deaths
17 have continued to trend upwards despite widespread
18 education programs and public awareness.

19 (5) Inexpensive technology is currently available
20 to detect the presence of an occupant unattended in
21 a vehicle and engage a warning.

22 (b) PURPOSE.—The purpose of this Act is to reduce
23 the deaths and injuries that result from occupants being
24 left unattended in vehicles and instances in which children
25 independently access an unoccupied vehicle.

1 **SEC. 3. SAFETY WARNING FOR OCCUPANTS OF HOT CARS.**

2 (a) OCCUPANT SAFETY.—

3 (1) IN GENERAL.—Subchapter II of Chapter
4 301 of title 49, United States Code, is amended by
5 adding at the end the following new section:

6 **“§ 30129. Occupant safety**

7 “(a) DEFINITIONS.—In this section:

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

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

13 “(b) RULEMAKING.—Not later than 2 years after the
14 date of enactment of this section, the Secretary shall issue
15 a final rule prescribing a motor vehicle safety standard
16 that requires all new passenger motor vehicles with a gross
17 vehicle weight rating of 10,000 pounds or less to be
18 equipped with a system that detects the presence of an
19 unattended occupant in the passenger compartment of the
20 vehicle and engages a warning to reduce death and injury
21 resulting from vehicular heatstroke, particularly incidents
22 involving children.

23 “(c) LIMITATION ON CAPABILITY OF BEING DIS-
24 ABLED.—The motor vehicle safety standard prescribed
25 under subsection (b) shall require that the system de-
26 scribed in that subsection cannot be disabled, overridden,

1 reset, or recalibrated in such a way that the system will
2 no longer detect the presence of an unattended occupant
3 in the passenger compartment of the vehicle and engage
4 a warning.

5 “(d) MEANS.—

6 “(1) IN GENERAL.—The warning required
7 under the motor vehicle safety standard prescribed
8 under subsection (b) shall include a distinct auditory
9 and visual warning to notify individuals inside and
10 outside of the vehicle of the presence of an unat-
11 tended occupant, which shall be combined with an
12 interior haptic warning.

13 “(2) CONSIDERATION.—In developing such
14 warning, the Secretary shall also consider including
15 a secondary additional warning to—

16 “(A) notify—

17 “(i) operators that are not in close
18 proximity to the vehicle; and

19 “(ii) emergency responders; and

20 “(B) provide the geographical location of
21 the vehicle in a manner that allows for an emer-
22 gency response.

23 “(e) COMPLIANCE DEADLINE.—The rule issued pur-
24 suant to subsection (b) shall require full compliance with
25 the motor vehicle safety standard prescribed in the rule

1 not later than 2 years after the date on which the final
2 rule is issued.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions for subchapter II of chapter 301 of title 49,
5 United States Code, is amended by adding at the
6 end the following new item:

“30129. Occupant safety.”.

7 (b) STUDY.—

8 (1) INDEPENDENT STUDY.—

9 (A) CONTRACT.—Not later than 90 days
10 after the date on which a final rule is issued
11 pursuant to section 30129(b) of title 49, United
12 States Code, as added by subsection (a)(1), and
13 every two years thereafter, the Secretary shall
14 enter into a contract with an independent third
15 party to conduct the study described under sub-
16 paragraph (B).

17 (B) STUDY.—

18 (i) IN GENERAL.—Under the contract
19 between the Secretary and an independent
20 third party under subparagraph (A), the
21 independent third party shall carry out a
22 study on retrofitting passenger motor vehi-
23 cles introduced into interstate commerce
24 before the effective date of the rule re-
25 quired pursuant to section 30129(b) of

1 title 49, United States Code, as added by
2 subsection (a)(1), with technologies and
3 products that meet the safety need ad-
4 dressed by the motor vehicle safety stand-
5 ard prescribed under such section.

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

9 (I) identify technologies and
10 products—

11 (aa) manufactured for use in
12 passenger motor vehicles intro-
13 duced into interstate commerce
14 before the effective date of the
15 rule required by section 30129(b)
16 of title 49, United States Code,
17 as added by subsection (a)(1);
18 and

19 (bb) that reduce death and
20 injury resulting from vehicular
21 heatstroke, particularly incidents
22 involving children; and

23 (II) make recommendations for
24 manufacturers of such technologies
25 and products to undergo a functional

1 safety performance assessment to en-
2 sure that the technologies and prod-
3 ucts perform as designed by the man-
4 ufacturer under a variety of real-world
5 conditions.

6 (2) PUBLICATION; PUBLIC COMMENT.—Not
7 later than 2 years after the date on which the Sec-
8 retary enters into a contract pursuant to paragraph
9 (1)(A), and every two years thereafter, the Secretary
10 shall—

11 (A) publish the study required under para-
12 graph (1)(B) in the Federal Register; and

13 (B) provide a period for public comment of
14 not longer than 90 days after the date on which
15 the study is published pursuant to subpara-
16 graph (A).

17 (3) CONSUMER INFORMATION.—Not later than
18 120 days after expiration of the public comment pe-
19 riod described under paragraph (2)(B) and upon re-
20 view of the public comments, the Secretary shall pro-
21 vide information for consumers through the website
22 of the National Highway Traffic Safety Administra-
23 tion on the performance of the technologies and
24 products described in paragraph (1)(B)(ii) to retrofit
25 existing vehicles.

1 (4) SUBMISSION TO CONGRESS.—Upon issuance
2 of the recommendations required under paragraph
3 (1)(B), the Secretary shall submit to the Committee
4 on Commerce, Science, and Transportation of the
5 Senate and the Committee on Energy and Com-
6 merce of the House of Representatives the study and
7 recommendations required by paragraph (1)(B), in-
8 cluding any public comment received under para-
9 graph (2)(B).

10 (5) DEFINITIONS.—In this subsection:

11 (A) CHILD RESTRAINT SYSTEM.—The
12 term “child restraint system” has the meaning
13 given that term in section 571.213 of title 49,
14 Code of Federal Regulations (or any successor
15 regulation).

16 (B) INDEPENDENT THIRD PARTY.—The
17 term “independent third party” means a manu-
18 facturer (as defined in section 30102 of title
19 49, Code of Federal Regulations (or any suc-
20 cessor regulation)) that does not receive any di-
21 rect financial assistance from an entity that
22 produces or supplies—

23 (i) equipment for the systems man-
24 dated in such section 30129; or

25 (ii) child restraint systems.

1 (C) PASSENGER MOTOR VEHICLE.—The
2 term “passenger motor vehicle” has the mean-
3 ing given that term in section 32101 of title 49,
4 United States Code.

5 (D) SECRETARY.—The term “Secretary”
6 means the Secretary of Transportation.

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