

109TH CONGRESS
1ST SESSION

S. 1948

To direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1, 2005

Mrs. CLINTON (for herself and Mr. SUNUNU) 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 regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, 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 “Cameron Gulbransen
5 Kids and Cars Safety Act of 2005”.

6 **SEC. 2. RULEMAKING REGARDING CHILD SAFETY.**

7 (a) **POWER WINDOW SAFETY.**—Not later than 18
8 months after the date of enactment of this Act, the Sec-

1 retary of Transportation (referred to in this Act as the
 2 “Secretary”) shall issue regulations, applicable to all pas-
 3 senger motor vehicles, to ensure that power windows and
 4 panels automatically reverse direction when they detect an
 5 obstruction to prevent children from being trapped, in-
 6 jured, or killed.

7 (b) REARWARD VISIBILITY.—Not later than 18
 8 months after the date of enactment of this Act, the Sec-
 9 retary shall issue regulations, applicable to all passenger
 10 motor vehicles, requiring a rearward visibility performance
 11 standard that will provide drivers with a means for detect-
 12 ing the presence of a person or object behind the vehicle
 13 in order to prevent backing incidents involving death and
 14 injury especially to small children and disabled persons.

15 (c) PREVENTING VEHICLES FROM ROLLING AWAY.—
 16 Not later than 18 months after the date of enactment of
 17 this Act, the Secretary shall issue regulations, applicable
 18 to all passenger motor vehicles, requiring the vehicle serv-
 19 ice brake to be engaged in all key positions and while the
 20 key is out of the ignition, before starting the engine or
 21 engaging the transmission in order to prevent accidents
 22 resulting from vehicles accidentally or unintentionally roll-
 23 ing away.

24 (d) PHASE IN PERIOD.—The regulations issued pur-
 25 suant to subsections (a) through (c) shall require—

1 (1) a phase-in period, as determined by the Sec-
 2 retary, for compliance with the regulations, which
 3 shall commence not later than 6 months after the
 4 date on which final regulations are issued; and

5 (2) all new passenger motor vehicles manufac-
 6 tured after the date that is 3 years after the
 7 issuance of final regulations to be fully compliant
 8 with such regulations.

9 (e) DATABASE ON INJURIES AND DEATHS IN NON-
 10 TRAFFIC, NONCRASH EVENTS.—

11 (1) IN GENERAL.—Not later than 18 months
 12 after the date of enactment of this Act, the Sec-
 13 retary shall establish and maintain a database of in-
 14 juries and deaths in nontraffic, noncrash events in-
 15 volving passenger motor vehicles.

16 (2) CONTENTS.—The database shall include in-
 17 formation regarding—

18 (A) the number, types, and proximate
 19 causes of injuries and deaths resulting from the
 20 events described in paragraph (1);

21 (B) the make, model, and model year of
 22 passenger motor vehicles involved in such
 23 events; and

24 (C) other variables that the Secretary de-
 25 termines will enhance the value of the database.

1 (3) AVAILABILITY.—The Secretary shall make
 2 the information contained in the database available
 3 to the public.

4 (f) DEFINED TERM.—In this section, the term “pas-
 5 senger motor vehicle” has the meaning given the term in
 6 section 32304(a) of title 49, United States Code.

7 **SEC. 3. CHILD SAFETY INFORMATION PROGRAM.**

8 (a) IN GENERAL.—Not later than 18 months after
 9 the date of enactment of this Act, the Secretary shall—

10 (1) supplement a consumer information pro-
 11 gram relating to child safety; or

12 (2) create a new program with information
 13 about hazards to children in nontraffic, noncrash in-
 14 cident situations.

15 (b) PROGRAM REQUIREMENTS.—In executing the
 16 program under subsection (a), the Secretary shall—

17 (1) utilize information collected pursuant to sec-
 18 tion 2(e) regarding nontraffic, noncrash injuries,
 19 and other relevant data from private organizations,
 20 to establish priorities for the program;

21 (2) address ways in which parents can mitigate
 22 dangers to small children arising from back over in-
 23 cidents, hyperthermia in closed vehicles, accidental
 24 actuation of power windows, and similar dangers;
 25 and

- 1 (3) make information related to the program
- 2 available to the public through the Internet and
- 3 other means.

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