

Calendar No. 404116TH CONGRESS
2^D SESSION**S. 1601****[Report No. 116–204]**

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, Ms. CANTWELL, Mr. SCHUMER, Ms. MCSALLY, Mr. MARKEY, Mrs. FEINSTEIN, Ms. SMITH, Mrs. GILLIBRAND, Mr. BROWN, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JANUARY 13, 2020

Reported by Mr. WICKER, without amendment

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Helping Overcome
3 Trauma for Children Alone in Rear Seats Act of 2019”
4 or the “HOT CARS Act of 2019”.

5 **SEC. 2. CHILD SAFETY.**

6 (a) AMENDMENT.—

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

10 **“§ 32304B. Child safety**

11 “(a) DEFINITIONS.—In this section:

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

15 “(2) REAR DESIGNATED SEATING POSITION.—
16 The term ‘rear designated seating position’ means
17 designated seating positions that are rearward of the
18 front seat.

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

21 “(b) RULEMAKING.—Not later than 2 years after the
22 date of the enactment of the HOT CARS Act of 2019,
23 the Secretary shall issue a final rule requiring all new pas-
24 senger motor vehicles weighing less than 10,000 pounds
25 gross vehicle weight to be equipped with a system to alert
26 the operator to check rear designated seating positions

1 after the vehicle engine or motor is deactivated by the op-
 2 erator.

3 “(c) MEANS.—The alert required under subsection
 4 (b)—

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

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

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

15 (2) CLERICAL AMENDMENT.—The analysis for
 16 chapter 323 of title 49, United States Code, is
 17 amended by striking the item relating to section
 18 32304A and inserting the following:

“32304A. Consumer tire information and standards.

“32304B. Child safety.”.

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

22 “(l) UNATTENDED PASSENGERS.—

23 “(1) IN GENERAL.—Each State shall use a por-
 24 tion of the amounts it receives under this section to

1 carry out a program to educate the public on the
2 risks of leaving a child or unattended passenger in
3 a vehicle after the vehicle motor is deactivated by
4 the operator.

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

9 (c) STUDY AND REPORT.—

10 (1) INDEPENDENT STUDY.—

11 (A) AGREEMENT.—

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

21 (ii) TIMING.—The Secretary shall
22 enter into the agreement or contract de-
23 scribed in clause (i) not later than the date
24 that the Secretary determines is the latest
25 date by which completion of the services

1 under this paragraph will allow the Sec-
2 retary enough time to prepare and submit
3 the study required under paragraph (2) in
4 accordance with such paragraph.

5 (B) INDEPENDENT STUDY.—

6 (i) IN GENERAL.—Under an agree-
7 ment between the Secretary and an inde-
8 pendent third-party under this paragraph,
9 the independent third-party shall carry out
10 a study on retrofitting existing passenger
11 motor vehicles with technology to address
12 the problem of children left in rear des-
13 ignated seating positions of motor vehicles
14 after the motor vehicles have been deacti-
15 vated by the operator of the vehicle.

16 (ii) ELEMENTS.—In carrying out the
17 study required under clause (i), the inde-
18 pendent third-party shall—

19 (I) survey and evaluate a variety
20 of methods used by current and
21 emerging aftermarket technology or
22 products to solve the problem of chil-
23 dren being left in a rear designated
24 seating position after the vehicle
25 motor is deactivated by the operator;

1 (II) make recommendations for
2 manufacturers of such technology or
3 products to undergo a functional safe-
4 ty performance to ensure that the
5 products perform as designed by the
6 manufacturer under a variety of real
7 world conditions; and

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

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.

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