

116TH CONGRESS  
1ST SESSION

# S. 2700

To amend title 23, United States Code, to provide for efforts relating to Move Over laws, to amend title 49, United States Code, to require crash avoidance technology on motor vehicles, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2019

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

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## A BILL

To amend title 23, United States Code, to provide for efforts relating to Move Over laws, to amend title 49, United States Code, to require crash avoidance technology on 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 “Protecting Roadside  
5 First Responders Act”.

1 **SEC. 2. MOVE OVER LAWS.**

2 (a) HIGHWAY SAFETY PROGRAMS.—Section 402 of  
 3 title 23, United States Code, is amended by adding at the  
 4 end the following:

5 “(o) MOVE OVER LAWS.—

6 “(1) DEFINITION OF MOVE OVER LAW.—In this  
 7 subsection, the term ‘Move Over law’ means a State  
 8 law intended to ensure first responder and motorist  
 9 safety by requiring motorists to change lanes or slow  
 10 down when approaching an authorized emergency  
 11 vehicle that is parked or otherwise stopped on a  
 12 roadway.

13 “(2) COMPLIANCE WITH MOVE OVER LAWS.—  
 14 For each of fiscal years 2021 through 2025, subject  
 15 to the requirements of the highway safety plan of a  
 16 State under subsection (k), as approved by the Sec-  
 17 retary, a State may use a portion of the amounts re-  
 18 ceived under this section to implement statewide ef-  
 19 forts to improve compliance with Move Over laws in  
 20 the State.

21 “(3) USE OF FUNDS.—Statewide efforts under  
 22 paragraph (2) may include—

23 “(A) purchasing and deploying digital alert  
 24 technology that is capable of sending alerts to  
 25 civilian drivers to protect first responders on  
 26 the scene and en route; and

1           “(B) educating the public about Move Over  
2           laws in the State through public information  
3           campaigns.”.

4           (b) STUDY ON MOVE OVER LAW PUBLIC AWARE-  
5           NESS CAMPAIGNS.—

6           (1) IN GENERAL.—The Secretary of Transpor-  
7           tation shall seek to enter into an agreement with the  
8           National Academy of Sciences under which the Na-  
9           tional Academy of Sciences shall carry out a study  
10          on the efficacy of Move Over laws (as defined in sec-  
11          tion 402(o) of title 23, United States Code) and re-  
12          lated public awareness campaigns.

13          (2) REPORT.—On the completion of the report  
14          under paragraph (1), the National Academy of  
15          Sciences shall submit to the Secretary of Transpor-  
16          tation and to Congress a report on—

17                  (A) the findings of the study; and

18                  (B) any recommendations to improve pub-  
19          lic awareness campaigns related to the laws de-  
20          scribed in that paragraph.

21          (c) NATIONAL PRIORITY SAFETY PROGRAMS.—

22          (1) IN GENERAL.—Section 405 of title 23,  
23          United States Code, is amended—

24                  (A) in subsection (a)—

1 (i) in paragraph (6), by striking “5”  
2 and inserting “4”;

3 (ii) by redesignating paragraphs (8)  
4 through (10) as paragraphs (9) through  
5 (11), respectively; and

6 (iii) by inserting after paragraph (7)  
7 the following:

8 “(8) PREVENTING ROADSIDE DEATHS.—In each  
9 fiscal year, 1 percent of the funds provided under  
10 this section shall be allocated among States that  
11 meet requirements with respect to preventing road-  
12 side deaths (as described in subsection (i)).”; and

13 (B) by adding at the end the following:

14 “(i) PREVENTING ROADSIDE DEATHS.—

15 “(1) IN GENERAL.—The Secretary shall award  
16 grants to States to prevent death and injury from  
17 crashes involving vehicles striking vehicles and indi-  
18 viduals stopped at the roadside.

19 “(2) FEDERAL SHARE.—The Federal share of  
20 the cost of carrying out an activity funded through  
21 a grant under this subsection may not exceed 80  
22 percent.

23 “(3) ELIGIBILITY.—A State shall receive a  
24 grant under this subsection in a fiscal year if the  
25 State submits to the Secretary a plan that describes

1       how the State will use funds provided under the  
2       grant, in accordance with paragraph (4).

3           “(4) USE OF FUNDS.—Amounts received by a  
4       State under this subsection shall be used by the  
5       State—

6           “(A) to purchase and deploy digital alert  
7       technology (as described in section 4(b) of the  
8       Protecting Roadside First Responders Act);

9           “(B) to educate the public about the safety  
10      of vehicles and individuals stopped at the road-  
11      side in the State through public information  
12      campaigns for the purpose of reducing roadside  
13      deaths and injury;

14          “(C) for law enforcement costs related to  
15      enforcing State laws to protect the safety of ve-  
16      hicles and individuals stopped at the roadside;  
17      and

18          “(D) for programs to identify, collect, and  
19      report data to State and local government agen-  
20      cies relating to crashes involving vehicles and  
21      individuals stopped at the roadside.

22          “(5) GRANT AMOUNT.—The allocation of grant  
23      funds to a State under this subsection for a fiscal  
24      year shall be in proportion to the apportionment of  
25      that State under section 402 for fiscal year 2009.”.

1           (2) SENSE OF CONGRESS RELATING TO FUND-  
 2           ING.—It is the sense of Congress that the national  
 3           priority program for preventing roadside deaths  
 4           under subsections (a)(8) and (i) of section 405 of  
 5           title 23, United States Code, should receive new and  
 6           additional funding in comparison to the funding level  
 7           for all national priority programs under section 405  
 8           of title 23, United States Code, for fiscal year 2020.

9   **SEC. 3. CRASH AVOIDANCE TECHNOLOGY.**

10          (a) IN GENERAL.—Subchapter II of chapter 301 of  
 11          title 49, United States Code, is amended by adding at the  
 12          end the following:

13   **“§ 30129. Crash avoidance technology**

14          “(a) IN GENERAL.—Not later than 2 years after the  
 15          date of enactment of this section, the Secretary shall issue  
 16          a final rule to establish minimum performance standards  
 17          with respect to crash avoidance technology and to require  
 18          that all motor vehicles manufactured for sale in the United  
 19          States on or after the compliance date under subsection  
 20          (b) are equipped with—

21                  “(1) a forward collision warning and automatic  
 22                  emergency braking system that—

23                          “(A) alerts the driver if the distance to a  
 24                          vehicle ahead or object in the path of travel

1 ahead is closing too quickly and a collision is  
2 imminent; and

3 “(B) automatically applies the brakes if  
4 the driver fails to do so;

5 “(2) a lane departure warning and lane keeping  
6 assist system that—

7 “(A) warns the driver to maintain the lane  
8 of travel; and

9 “(B) corrects the course of travel if the  
10 driver fails to do so; and

11 “(3) a blind zone detection system that—

12 “(A) warns the driver if another vehicle or  
13 road user is in the blind zone of the vehicle; and

14 “(B) provides an additional alert if the  
15 driver attempts to change the course of travel  
16 while another vehicle or road user is in the  
17 blind zone of the vehicle.

18 “(b) COMPLIANCE DATE.—Compliance with the final  
19 rule under subsection (a) shall be required beginning for  
20 the model year that begins not later than 2 years after  
21 the date on which the final rule is published in the Federal  
22 Register.”.

23 (b) CLERICAL AMENDMENT.—The analysis for sub-  
24 chapter II of chapter 301 of title 49, United States Code,

1 is amended by inserting after the item relating to section  
2 30128 the following:

“30129. Crash avoidance technology.”.

3 **SEC. 4. REQUIREMENTS FOR FEDERAL VEHICLE FLEETS.**

4 (a) **CRASH AVOIDANCE TECHNOLOGY.**—Not later  
5 than 5 years after the date of enactment of this Act, in  
6 accordance with section 30129 of title 49, United States  
7 Code, the head of each Federal agency shall ensure that  
8 each new vehicle purchased or leased as part of a Federal  
9 fleet of the agency is equipped with—

10 (1) a forward collision warning and automatic  
11 emergency braking system that—

12 (A) alerts the driver if the distance to a ve-  
13 hicle ahead or object in the path of travel ahead  
14 is closing too quickly and a collision is immi-  
15 nent; and

16 (B) automatically applies the brakes if the  
17 driver fails to do so;

18 (2) a lane departure warning and lane keeping  
19 assist system that—

20 (A) warns the driver to maintain the lane  
21 of travel; and

22 (B) corrects the course of travel if the  
23 driver fails to do so; and

24 (3) a blind zone detection system that—

1 (A) warns the driver if another vehicle or  
2 road user is in the blind zone of the vehicle; and

3 (B) provides an additional alert if the driv-  
4 er attempts to change the course of travel while  
5 another vehicle or road user is in the blind zone  
6 of the vehicle.

7 (b) DIGITAL ALERT TECHNOLOGY.—Not later than  
8 5 years after the date of enactment of this Act, the head  
9 of each Federal agency shall ensure that each vehicle in  
10 a Federal fleet of the agency—

11 (1) if the vehicle is used for emergency response  
12 activities, is equipped with digital alert technology  
13 that is capable of sending alerts to civilian drivers  
14 to protect first responders on the scene and en  
15 route; and

16 (2) is equipped with digital alert technology  
17 (which may be provided by an aftermarket device)  
18 that is capable of receiving alerts regarding nearby  
19 first responders.

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