

111TH CONGRESS
1ST SESSION

S. 841

To direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2009

Mr. KERRY (for himself and Mr. SPECTER) 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 study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

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 “Pedestrian Safety En-
5 hancement Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) MOTOR VEHICLE.—The term “motor vehi-
2 cle” has the meaning given such term in section
3 30102(a)(6) of title 49, United States Code.

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of Transportation.

6 **SEC. 3. FINDINGS.**

7 Congress finds that—

8 (1) motor vehicles designed to provide the desir-
9 able benefits of reducing harmful pollutants and op-
10 erating with greater fuel efficiency include gasoline-
11 electric hybrid and electric-only vehicles, and in the
12 foreseeable future may include vehicles powered by
13 hydrogen fuel cell and other engine designs that rely
14 on fuels and technologies other than the gasoline-
15 powered internal combustion engine;

16 (2) these vehicle engine designs operate or are
17 likely to operate with virtually no sound being pro-
18 duced by the vehicle;

19 (3) the total number of hybrid motor vehicles
20 sold per year in the United States is growing dra-
21 matically, and may someday equal or exceed the
22 number of internal combustion engine motor vehicles
23 on the Nation’s roads;

24 (4) blind pedestrians cannot locate and evaluate
25 traffic by sight and instead must listen to traffic to

1 discern its speed, direction, and other attributes in
2 order to travel safely and independently;

3 (5) other people, including pedestrians who are
4 not blind, bicyclists, runners, and small children,
5 benefit from multi-sensory information available
6 from vehicle traffic, including the sound of vehicle
7 engines;

8 (6) when operating on their electric engines, hy-
9 brid vehicles cannot be heard by blind people and
10 others, rendering such vehicles extremely dangerous
11 when driving on the street, emerging from drive-
12 ways, moving through parking lots, and in other sit-
13 uations where pedestrians and vehicles come into
14 proximity with each other;

15 (7) failure to take immediate action assuring
16 that blind pedestrians can hear hybrid and other si-
17 lent vehicles in all phases of their operation will in-
18 evitably lead to pedestrian injuries and fatalities;
19 and

20 (8) such accidents are preventable through vehi-
21 cle designs which take into account the multi-sen-
22 sory nature of traffic detection and avoidance, and
23 require that vehicles emit a minimum level of sound
24 designed to alert all pedestrians, especially blind pe-
25 destrians, to the presence of such vehicles.

1 **SEC. 4. STUDY OF METHOD TO PROTECT BLIND AND**
2 **OTHER PEDESTRIANS.**

3 (a) **REQUIRED STUDY.**—Not later than 90 days after
4 the date of the enactment of this Act, the Secretary shall
5 conduct a study to—

6 (1) determine the most practical means of en-
7 suring that blind and other pedestrians receive sub-
8 stantially similar information to information such
9 pedestrians receive from sound emitted by vehicles
10 that use internal combustion engines;

11 (2) determine the minimum level of sound emit-
12 ted from a motor vehicle that is necessary to provide
13 blind pedestrians with the information needed to
14 make safe travel judgments; and

15 (3) consider whether the minimum level of
16 sound requirement or another method that conveys
17 information essential for pedestrian safety provides
18 the most reliable information to support safe travel
19 of blind and other pedestrians, including—

20 (A) which method provides blind and other
21 pedestrians the greatest amount of information
22 regarding location, motion, speed, and direction
23 of travel of a motor vehicle;

24 (B) the cost and feasibility of each method,
25 including the cost and feasibility of equipping

1 each individual pedestrian with any technology
2 necessary to receive information; and

3 (C) which method ensures the least reli-
4 ance by blind and other pedestrians upon tech-
5 nology they must possess when traveling and
6 thereby provides the greatest amount of inde-
7 pendence and opportunity for spontaneous trav-
8 el for these pedestrians.

9 (b) REQUIRED CONSULTATION.—While conducting
10 the study, the Secretary shall—

11 (1) review all available research regarding the
12 effect of traffic sounds on pedestrian safety;

13 (2) commission such additional research as may
14 be necessary;

15 (3) consult with consumer groups representing
16 individuals who are blind, other pedestrians, cyclists,
17 and advocates for children; and

18 (4) consult with automobile manufacturers and
19 professional organizations which represent such
20 manufacturers.

21 (c) REPORT.—The Secretary shall—

22 (1) complete the study required under this sec-
23 tion not later than 2 years after commencing such
24 study; and

1 able to determine the location, motion, speed, and
2 direction of travel of a motor vehicle with an inter-
3 nal combustion engine.

4 (c) EFFECTIVE DATE.—The standard promulgated
5 under this section shall apply to all new motor vehicles
6 manufactured or sold in the United States beginning on
7 that date that is 2 years after the issuance of such stand-
8 ard.

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to the Sec-
11 retary such sums as may be necessary to carry out this
12 Act.

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