

114TH CONGRESS
1ST SESSION

H. R. 3471

To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2015

Mrs. WALORSKI (for herself, Ms. BROWNLEY of California, Mr. RUIZ, Mr. DUNCAN of Tennessee, Mr. BARR, and Mr. CURBELO of Florida) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

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 “Veterans Mobility
5 Safety Act of 2015”.

1 **SEC. 2. IMPROVEMENT OF PROVISION OF AUTOMOBILES**
2 **AND ADAPTIVE EQUIPMENT BY DEPARTMENT**
3 **OF VETERANS AFFAIRS.**

4 (a) AUTOMOBILES AND ADAPTIVE EQUIPMENT.—

5 Section 3903 of title 38, United States Code, is amend-
6 ed—

7 (1) in subsection (b)—

8 (A) by striking “Except” and inserting

9 “(1) Except”; and

10 (B) by adding at the end the following new
11 paragraph:

12 “(2) The Secretary shall ensure that to the extent
13 practicable an eligible person who is provided an auto-
14 mobile or other conveyance under this chapter is given the
15 opportunity to make personal selections relating to such
16 automobile or other conveyance.”;

17 (2) in subsection (d)—

18 (A) by striking “Adaptive” and inserting

19 “(1) Adaptive”; and

20 (B) by adding at the end the following new
21 paragraphs:

22 “(2) For purposes of this subsection, minimum
23 standards shall include that—

24 “(A) the provider of any adaptive equipment
25 modification services, including the repair, mainte-
26 nance, or replacement of such equipment, shall be

1 certified in the provision of the modification service
2 performed by—

3 “(i) a certification organization; or

4 “(ii) the manufacturer of the adaptive
5 equipment for which the modification services
6 are performed;

7 “(B) any individual performing such modifica-
8 tion services on an automobile shall—

9 “(i) be certified in the provision of the
10 modification service performed by—

11 “(I) a certification organization; or

12 “(II) the manufacturer of the adapt-
13 ive equipment for the modification services
14 are performed; or

15 “(ii) be licensed or certified by the State in
16 which the modification service is performed if
17 such service is within the scope of practice, as
18 determined by the State for the service; and

19 “(C) the provider of the automobile or adaptive
20 equipment or the provider of the modification serv-
21 ices for such automobile or adaptive equipment
22 shall—

23 “(i) adhere to chapter 126 of title 42
24 (commonly known as the ‘Americans with Dis-
25 abilities Act of 1990’); and

1 “(ii) adhere to the ‘make inoperative man-
2 dates’ of the National Highway Traffic Safety
3 Administration Federal Motor Vehicle Safety
4 Standards prescribed pursuant to section 30122
5 of title 49.

6 “(3) In this subsection:

7 “(A) The term ‘certification organization’
8 means an organization that—

9 “(i) is recognized as being qualified by the
10 Secretary;

11 “(ii) is a nonprofit organization;

12 “(iii) is a national or international organi-
13 zation with an accreditation program for auto-
14 motive adaptive equipment; and

15 “(iv) has established standards for record-
16 keeping and to minimize the possibility of con-
17 flicts of interest as determined by the Sec-
18 retary.

19 “(B) The term ‘modification services’ means
20 structural modifications or the addition or installa-
21 tion of adaptive equipment intended to increase,
22 maintain, or improve the functional capacity of a
23 disabled driver to safely drive or ride as a pas-
24 senger.”.

1 (b) REHABILITATIVE SERVICES.—Section 1718 of
2 such title is amended by adding at the end the following
3 new subsection:

4 “(h) In providing rehabilitative services under this
5 chapter, if the Secretary provides adaptive equipment, the
6 Secretary shall ensure that such equipment meets the min-
7 imum standards prescribed under section 3903(d)(2) of
8 this title.”.

9 (c) VOCATIONAL REHABILITATION.—Section 3104 of
10 such title is amended by adding at the end the following
11 new subsection:

12 “(c) In providing a rehabilitation program under this
13 chapter, if the Secretary provides adaptive equipment, the
14 Secretary shall ensure that such equipment meets the min-
15 imum standards prescribed under section 3903(d)(2) of
16 this title.”.

17 (d) DEADLINE FOR REGULATIONS.—Not later than
18 one year after the date of the enactment of this Act, the
19 Secretary of Veterans Affairs shall prescribe regulations
20 to carry out the amendments made by this section.

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