

117TH CONGRESS
1ST SESSION

H. R. 4089

IN THE SENATE OF THE UNITED STATES

OCTOBER 20, 2021

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To direct the Secretary of Homeland Security to develop and disseminate best practices for rental companies and dealers to report suspicious behavior to law enforcement agencies at the point of sale of a covered rental vehicle to prevent and mitigate acts of terrorism using 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 “Darren Drake Act”.

5 **SEC. 2. BEST PRACTICES RELATED TO CERTAIN INFORMA-**
6 **TION COLLECTED BY RENTAL COMPANIES**
7 **AND DEALERS.**

8 (a) DEVELOPMENT AND DISSEMINATION.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act, the Sec-
11 retary of Homeland Security shall develop and dis-
12 seminate best practices for rental companies and
13 dealers to report suspicious behavior to law enforce-
14 ment agencies at the point of sale of a covered rental
15 vehicle.

16 (2) CONSULTATION; UPDATES.—The Secretary
17 shall develop and, as necessary, update the best
18 practices described in paragraph (1) after consulta-
19 tion with Federal, State, local, and Tribal law en-
20 forcement agencies and relevant transportation secu-
21 rity stakeholders.

22 (3) GUIDANCE ON SUSPICIOUS BEHAVIOR.—The
23 Secretary shall include, in the best practices devel-
24 oped under paragraph (1), guidance on defining and

1 identifying suspicious behavior in a manner that pro-
2 tects civil rights and civil liberties.

3 (b) REPORT TO CONGRESS.—Not later than one year
4 after the date of the enactment of this Act, the Secretary
5 of Homeland Security shall submit to Congress a report
6 on the implementation of this section, including an assess-
7 ment of—

8 (1) the impact of the best practices described in
9 subsection (a) on efforts to protect the United
10 States against terrorist attacks; and

11 (2) ways to improve and expand cooperation
12 and engagement between—

13 (A) the Department of Homeland Security;

14 (B) Federal, State, local, and Tribal law
15 enforcement agencies; and

16 (C) rental companies, dealers, and other
17 relevant rental industry stakeholders.

18 (c) DEFINITIONS.—In this section:

19 (1) The terms “dealer” and “rental company”
20 have the meanings given those terms in section
21 30102 of title 49, United States Code.

22 (2) The term “covered rental vehicle” means a
23 motor vehicle that—

24 (A) is rented without a driver for an initial
25 term of less than 4 months; and

(B) is part of a motor vehicle fleet of 35 or more motor vehicles that are used for rental purposes by a rental company.

Passed the House of Representatives October 19,
2021.

Attest: **CHERYL L. JOHNSON,**
Clerk.