

117TH CONGRESS  
1ST SESSION

# S. 1386

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

APRIL 27, 2021

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 2022 through 2026, 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 Academies of Sciences, Engineering, and  
9           Medicine under which the National Academies of  
10          Sciences, Engineering, and Medicine shall carry out  
11          a study on the efficacy of Move Over laws (as de-  
12          fined in section 402(o) of title 23, United States  
13          Code) and related public awareness campaigns.

14          (2) REPORT.—On the completion of the report  
15          under paragraph (1), the National Academies of  
16          Sciences, Engineering, and Medicine shall submit to  
17          the Secretary of Transportation and to Congress  
18          and make publicly available a report on—

19                  (A) the findings of the study; and

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

23          (c) NATIONAL PRIORITY SAFETY PROGRAMS.—

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

1 (A) in subsection (a)—

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

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

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

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

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

15 “(i) PREVENTING ROADSIDE DEATHS.—

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

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

24 “(3) ELIGIBILITY.—A State shall receive a  
25 grant under this subsection in a fiscal year if the

1 State submits to the Secretary a plan that describes  
2 how the State will use funds provided under the  
3 grant, in accordance with paragraph (4).

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

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

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

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

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

23 “(5) GRANT AMOUNT.—The allocation of grant  
24 funds to a State under this subsection for a fiscal

1 year shall be in proportion to the apportionment of  
2 that State under section 402 for fiscal year 2009.”.

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

13 **SEC. 3. CRASH AVOIDANCE TECHNOLOGY.**

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

17 **“§ 30129. Crash avoidance technology**

18 “(a) IN GENERAL.—Not later than 2 years after the  
19 date of enactment of this section, the Secretary shall issue  
20 a final rule to establish minimum performance standards  
21 with respect to crash avoidance technology and to require  
22 that passenger motor vehicles (as defined in section  
23 32101) and commercial motor vehicles (as defined in sec-  
24 tion 31101) manufactured for sale in the United States

1 on or after the compliance date under subsection (b) are  
2 equipped with—

3 “(1) a forward collision warning and automatic  
4 emergency braking system that—

5 “(A) alerts the driver if the distance to a  
6 vehicle ahead or an object or person, including  
7 a pedestrian, a bicyclist, and any other road  
8 user, in the path of travel ahead is closing too  
9 quickly and a collision is imminent; and

10 “(B) automatically applies the brakes if  
11 the driver fails to do so;

12 “(2) a lane departure warning and lane keeping  
13 assist system that—

14 “(A) warns the driver to maintain the lane  
15 of travel; and

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

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

19 “(A) warns the driver if another vehicle,  
20 an object, or a person, including a pedestrian,  
21 a bicyclist, and any other road user, is in the  
22 blind zone of the vehicle; and

23 “(B) provides an additional alert if the  
24 driver attempts to change the course of travel  
25 while another vehicle, an object, or a person, in-

1           cluding a pedestrian, a bicyclist, and any other  
2           road user, is in the blind zone of the vehicle.

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

8           (b) CLERICAL AMENDMENT.—The analysis for sub-  
9 chapter II of chapter 301 of title 49, United States Code,  
10 is amended by inserting after the item relating to section  
11 30128 the following:

“30129. Crash avoidance technology.”.

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

13           (a) CRASH AVOIDANCE TECHNOLOGY.—Not later  
14 than 5 years after the date of enactment of this Act, in  
15 accordance with section 30129 of title 49, United States  
16 Code, the head of each Federal agency shall ensure that  
17 each new passenger motor vehicle (as defined in section  
18 32101 of that title) and commercial motor vehicle (as de-  
19 fined in section 31101 of that title) purchased or leased  
20 as part of a Federal fleet of the agency is 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 ve-  
24 hicle ahead or an object or person, including a  
25 pedestrian, a bicyclist, or any other road user,



1 in the path of travel ahead is closing too quickly  
2 and a collision is imminent; and

3 (B) automatically applies the brakes if the  
4 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, an  
13 object, or a person, including a pedestrian, a bi-  
14 cyclist, and any other road user, is in the blind  
15 zone of the vehicle; and

16 (B) provides an additional alert if the driv-  
17 er attempts to change the course of travel while  
18 another vehicle, an object, or a person, includ-  
19 ing a pedestrian, a bicyclist, and any other road  
20 user, is in the blind zone of the vehicle.

21 (b) DIGITAL ALERT TECHNOLOGY.—Not later than  
22 5 years after the date of enactment of this Act, the head  
23 of each Federal agency shall ensure that each vehicle in  
24 a Federal fleet of the agency—

1           (1) if the vehicle is used for emergency response  
2 activities, is equipped with digital alert technology  
3 that is capable of sending alerts to civilian drivers  
4 to protect first responders on the scene and en  
5 route; and

6           (2) is equipped with digital alert technology  
7 (which may be provided by an aftermarket device)  
8 that is capable of receiving alerts regarding nearby  
9 first responders.

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