

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R.**

OFFERED BY _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Cameron Gulbransen
3 Kids Transportation Safety Act of 2007” or the “K.T.
4 Safety Act of 2007”.

5 SEC. 2. RULEMAKING REGARDING CHILD SAFETY.

6 (a) POWER WINDOW SAFETY.—

7 (1) CONSIDERATION OF RULE.—Not later than
8 18 months after the date of the enactment of this
9 Act, the Secretary of Transportation (referred to in
10 this Act as the “Secretary”) shall initiate a rule-
11 making to consider prescribing or amending Federal
12 motor vehicle safety standards to require power win-
13 dows and panels on motor vehicles to automatically
14 reverse direction when such power windows and pan-
15 els detect an obstruction to prevent children and
16 others from being trapped, injured, or killed.

17 (2) DEADLINE FOR DECISION.—If the Secretary
18 determines such safety standards are reasonable,

1 practicable, and appropriate, the Secretary shall pre-
2 scribe, under section 30111 of title 49, United
3 States Code, the safety standards described in para-
4 graph (1) not later than 30 months after the date
5 of enactment of this Act. If the Secretary determines
6 that no additional safety standards are reasonable,
7 practicable, and appropriate, the Secretary shall—

8 (A) not later than 30 months after the
9 date of enactment of this Act, transmit a report
10 to the Committee on Energy and Commerce of
11 the House of Representatives and the Com-
12 mittee on Commerce, Science, and Transpor-
13 tation of the Senate describing the reasons such
14 standards were not prescribed; and

15 (B) publish and otherwise make available
16 to the public through the Internet and other
17 means (such as the “Buying a Safer Car” bro-
18 chure) information regarding which vehicles are
19 or are not equipped with power windows and
20 panels that automatically reverse direction when
21 an obstruction is detected.

22 (b) REARWARD VISIBILITY.—Not later than 12
23 months after the date of the enactment of this Act, the
24 Secretary shall initiate a rulemaking to revise Federal
25 Motor Vehicle Safety Standard 111 (FMVSS 111) to ex-

1 pand the required field of view to enable the driver of a
2 motor vehicle to detect areas behind the motor vehicle to
3 reduce death and injury resulting from backing incidents,
4 particularly incidents involving small children and disabled
5 persons. The Secretary may prescribe different require-
6 ments for different types of motor vehicles to expand the
7 required field of view to enable the driver of a motor vehi-
8 cle to detect areas behind the motor vehicle to reduce
9 death and injury resulting from backing incidents, particu-
10 larly incidents involving small children and disabled per-
11 sons. Such standard may be met by the provision of addi-
12 tional mirrors, sensors, cameras, or other technology to
13 expand the driver's field of view. The Secretary shall pre-
14 scribe final standards pursuant to this subsection not later
15 than 36 months after the date of enactment of this Act.

16 (c) PHASE-IN PERIOD.—

17 (1) PHASE-IN PERIOD REQUIRED.—The safety
18 standards prescribed pursuant to subsections (a)
19 and (b) shall establish a phase-in period for compli-
20 ance, as determined by the Secretary, and require
21 full compliance with the safety standards not later
22 than 48 months after the date on which the final
23 rule is issued.

24 (2) PHASE-IN PRIORITIES.—In establishing the
25 phase-in period of the rearward visibility safety

1 standards required under subsection (b), the Sec-
2 retary shall consider whether to require the phase-
3 in according to different types of motor vehicles
4 based on data demonstrating the frequency by which
5 various types of motor vehicles have been involved in
6 backing incidents resulting in injury or death. If the
7 Secretary determines that any type of motor vehicle
8 should be given priority, the Secretary shall issue
9 regulations that specify—

10 (A) which type or types of motor vehicles
11 shall be phased-in first; and

12 (B) the percentages by which such motor
13 vehicles shall be phased-in.

14 (d) PREVENTING MOTOR VEHICLES FROM ROLLING
15 AWAY.—

16 (1) REQUIREMENT.—Each motor vehicle with
17 an automatic transmission that includes a “park”
18 position manufactured for sale after September 1,
19 2010, shall be equipped with a system that requires
20 the service brake to be depressed before the trans-
21 mission can be shifted out of “park”. This system
22 shall function in any starting system key position in
23 which the transmission can be shifted out of “park”.

24 (2) TREATMENT AS MOTOR VEHICLE SAFETY
25 STANDARD.—A violation of paragraph (1) shall be

1 treated as a violation of a motor vehicle safety
2 standard prescribed under section 30111 of title 49,
3 United States Code, and shall be subject to enforce-
4 ment by the Secretary under chapter 301 of such
5 title.

6 (3) PUBLICATION OF NONCOMPLIANT VEHI-
7 CLES.—

8 (A) INFORMATION SUBMISSION.—Not later
9 than 60 days after the date of the enactment of
10 this Act, for the current model year and annu-
11 ally thereafter through 2010, each motor vehi-
12 cle manufacturer shall transmit to the Sec-
13 retary the make and model of motor vehicles
14 with automatic transmissions that include a
15 “park” position that do not comply with the re-
16 quirements of paragraph (1).

17 (B) PUBLICATION.—Not later than 30
18 days after receiving the information submitted
19 under subparagraph (A), the Secretary shall
20 publish and otherwise make available to the
21 public through the Internet and other means
22 the make and model of the applicable motor ve-
23 hicles that do not comply with the requirements
24 of paragraph (1). Any motor vehicle not in-
25 cluded in the publication under this subpara-

1 graph shall be presumed to comply with such
2 requirements.

3 (e) DEFINITION OF MOTOR VEHICLE.—As used in
4 this Act and for purposes of the motor vehicle safety
5 standards described in subsections (a) and (b), the term
6 “motor vehicle” has the meaning given such term in sec-
7 tion 30102(a)(6) of title 49, United States Code, except
8 that such term shall not include—

9 (1) a motorcycle or trailer (as such terms are
10 defined in section 571.3 of title 49, Code of Federal
11 Regulations); or

12 (2) any motor vehicle that is rated at more
13 than 10,000 pounds gross vehicular weight.

14 (f) DATABASE ON INJURIES AND DEATHS IN NON-
15 TRAFFIC, NONCRASH EVENTS.—

16 (1) IN GENERAL.—Not later than 12 months
17 after the date of the enactment of this Act, the Sec-
18 retary shall establish and maintain a database of in-
19 juries and deaths in nontraffic, noncrash events in-
20 volving motor vehicles.

21 (2) CONTENTS.—The database established pur-
22 suant to paragraph (1) shall include information re-
23 garding—

1 (A) the number, types, and causes of inju-
2 ries and deaths resulting from the events de-
3 scribed in paragraph (1);

4 (B) the make, model, and model year of
5 motor vehicles involved in such events, when
6 practicable; and

7 (C) other variables that the Secretary de-
8 termines will enhance the value of the database.

9 (3) AVAILABILITY.—The Secretary shall make
10 the information contained in the database estab-
11 lished pursuant to paragraph (1) available to the
12 public through the Internet and other means.

13 **SEC. 3. CHILD SAFETY INFORMATION PROGRAM.**

14 (a) IN GENERAL.—Not later than 9 months after the
15 date of the enactment of this Act, the Secretary shall pro-
16 vide information about hazards to children in nontraffic,
17 noncrash incident situations by—

18 (1) supplementing an existing consumer infor-
19 mation program relating to child safety; or

20 (2) creating a new consumer information pro-
21 gram relating to child safety.

22 (b) PROGRAM REQUIREMENTS.—In carrying out the
23 program under subsection (a), the Secretary shall—

24 (1) utilize information collected pursuant to sec-
25 tion 2(f) regarding nontraffic, noncrash injuries, and

1 other relevant data the Secretary considers appro-
2 priate, to establish priorities for the program;

3 (2) address ways in which parents and care-
4 givers can reduce risks to small children arising
5 from back over incidents, hyperthermia in closed
6 motor vehicles, accidental actuation of power win-
7 dows, and any other risks the Secretary determines
8 should be addressed; and

9 (3) make information related to the program
10 available to the public through the Internet and
11 other means.

12 **SEC. 4. DEADLINES.**

13 If the Secretary determines that the deadlines appli-
14 cable under this Act cannot be met, the Secretary shall—

15 (1) establish new deadlines; and

16 (2) notify the Committee on Energy and Com-
17 merce of the House of Representatives and the Com-
18 mittee on Commerce, Science, and Transportation of
19 the Senate of the new deadlines and describing the
20 reasons the deadlines specified under this Act could
21 not be met.