

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.

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## 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

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## 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           (2) submit a report to Congress that contains  
2           the findings of such study.

3 **SEC. 5. MINIMUM SOUND REQUIREMENT FOR MOTOR VEHI-**  
4 **CLES.**

5           (a) IN GENERAL.—Not later than 90 days after com-  
6           pletion of the study required under section 4, the Sec-  
7           retary shall promulgate a motor vehicle safety standard  
8           under section 30111 of title 49, United States Code, to  
9           establish a method for alerting blind and other pedestrians  
10          of the presence and operation of nearby motor vehicles to  
11          enable such pedestrians to travel safely and independently  
12          in urban, rural, and residential environments.

13          (b) REQUIREMENTS.—The standard required under  
14          this section shall provide that every motor vehicle be  
15          equipped with a method—

16                 (1) to provide blind and other pedestrians with  
17                 a non-visual alert regarding the location, motion,  
18                 speed, and direction of travel of a motor vehicle that  
19                 provides substantially the same protection of such  
20                 pedestrians as that provided by a motor vehicle with  
21                 an internal combustion engine; and

22                 (2) that will permit a blind or other pedestrian  
23                 to determine the location, motion, speed, and direc-  
24                 tion of travel of a motor vehicle with substantially  
25                 the same degree of certainty as such pedestrians are

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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