

## **Additional Questions for the Record**

### **Subcommittee on Consumer Protection and Commerce Legislative Hearing on “Legislation to Make Cars in America Safer” July 24, 2019**

**Ms. Cathy Chase, President, Advocates for Highway and Auto Safety**

**The Honorable Michael C. Burgess, M.D. (R-TX)**

1. Ms. Chase, I agree that we need to find a solution to deaths resulting from automobile emissions. I am concerned that the technology described in H.R. 3145, the PARK IT Act, may not perform as intended. For example, in urban areas individuals may sit in their vehicles in traffic for an extended period of time. However, according to the Centers for Disease Control, it can take as little as 7 minutes for carbon monoxide levels from a vehicle in an enclosed space to reach life threatening levels. We already have carbon monoxide detectors for inside the home or other interior spaces.

- a. **Should the Secretary of Transportation study technology that can be implemented on vehicles to detect rapidly rising levels of carbon monoxide rather than the idle time of a vehicle?** While there is likely a benefit to studying technology that can detect rapidly rising levels of carbon monoxide (CO), the rulemaking requiring an automatic vehicle shutoff must continue to move forward as contemplated under the PARK IT Act (H.R. 3145) to protect families from the associated risks. Research into the potential benefit and feasibility of a sensor-based system may be necessary to ensure that it adequately addresses the safety risk. For example, different conditions, such as home and HVAC designs, could enable situations where a vehicle based detector would not shut off the engine prior to a dangerous buildup of CO which could be drawn into the home, imperiling the occupants.

The National Highway Traffic Safety Administration’s rulemaking process directed under the PARK IT Act will consider a variety of scenarios and means to achieve the intent of the legislation, and public comments will be solicited. Ensuring that the vehicle is not shut off in situations such as stopped traffic or other instances where someone may be purposefully in their idle vehicle for various reasons should be contemplated. The system can be designed to provide for the driver or occupant to be acknowledged (such as a simple pedal tap or steering wheel move) to protect against the vehicle turning off under circumstances which it should not. An automatic shutoff could potentially be paired with a vehicle-based detector, but has merit on its own to

most robustly safeguard against tragic unintended carbon monoxide poisonings at this time.

2. Ms. Chase, several years ago I observed the technology capable of alerting a vehicle operator of an occupant, human or pet, in a rear seat. At that time, the technology simply detected a living being and it was up to vehicle manufacturers to determine the warning haptic. H.R. 3593, the Hot Cars Act, would require the Secretary of Transportation to issue a rule requiring this type of technology on all new passenger vehicles.

- a. **Despite the presence of this technology on a vehicle, will a vehicle-owner or operator have the option of engaging or disengaging the warning haptic?** As directed under the Hot Cars Act (H.R. 3593), it is critical that a vehicle not only detect the presence of an occupant in the rear seat, but also trigger a visual, auditory and haptic alert. Requiring that all three, distinct warnings are combined is the most comprehensive and effective solution to the tragedy of vehicular heatstroke, which claimed a record 53 young lives in 2018 alone. Unfortunately, systems that rely solely on a brief dashboard display or delicate chime may not capture the attention of the driver. Moreover, these will not alert a passerby should a child have gotten into the car on their own, which is the case in 27 percent of all vehicular heatstroke deaths. Ensuring that the alert will utilize a combination of warnings, as under the Hot Cars Act, will best protect children. Whether the system can be engaged or disengaged manually by the owner will be determined during the rulemaking process. Advocates for Highway and Auto Safety would not advise allowing the owner to disengage the system due to the risk posed that it could leave a child vulnerable to vehicular heatstroke. However, if the final rule is written to allow manufacturers to enable the system or any particular warnings to be disengaged, it should be required equipment that is set to “on” as the default each time the vehicle is started.
- b. **If the warning is fixed to engage, do you believe this would deter new vehicle purchases?** Once a system is required as standard equipment, as the Hot Cars Act would require for the detection and alert system, the majority of all new cars will already be equipped with it. This is a critical component because, as demonstrated by experience, no parent thinks that they could unknowingly leave their child in a car. Having all new makes and models come with this vital system will offer this level of protection for all families, rather than requiring that they purchase a higher-end vehicle or expensive luxury package to get the safety benefit. New vehicle purchases are likely to be undeterred because the system would be standard across all options. Once something is made standard equipment, the cost decreases, meaning customers would not be cost-prohibited or have a disincentive to purchase a new vehicle with this feature. For example, since the rearview camera rule took effect last May, new vehicle purchases have not declined and the overall costs of new vehicles have not substantially changed.