AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8449 OFFERED BY MR. PALLONE OF NEW JERSEY

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''AM Radio for Every Vehicle Act of 2024''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) AM BROADCAST BAND.—The term ''AM broadcast band'' means the band of frequencies between 535 kilohertz and 1705 kilohertz, inclusive.

(3) AM BROADCAST STATION.—The term ''AM broadcast station'' means a radio broadcast station—

(A) licensed by the Federal Communications Commission for the dissemination of radio communications intended to be received by the public; and

(B) operated on a channel in the AM broadcast band.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Transportation and Infrastructure of the House of Representatives;

(D) the Committee on Homeland Security of the House of Representatives; and

(E) the Committee on Energy and Commerce of the House of Representatives.

(5) COMPTROLLER GENERAL.—The term ''Comptroller General'' means the Comptroller General of the United States.

(6) DEVICE.—The term ''device'' means a piece of equipment or an apparatus that is designed—

(A) to receive signals transmitted by a radio broadcast station; and

(B) to play back content or programming derived from those signals.

(7) DIGITAL AUDIO AM BROADCAST STATION.—

(A) IN GENERAL.—The term ''digital audio AM broadcast station'' means an AM broadcast station that uses an In Band On Channel DAB System (as defined in section 73.402 of title 47, Code of Federal Regulations (or a successor regulation)) for broadcasting purposes.

(B) EXCLUSION.—The term ''digital audio AM broadcast station'' does not include an All-digital AM station (as defined in section 73.402 of title 47, Code of Federal Regulations (or a successor regulation)).

(8) IPAWS.—The term ''IPAWS'' means the public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o).

(9) MANUFACTURER.—The term ''manufacturer'' has the meaning given the term in section 30102(a) of title 49, United States Code.

(10) PASSENGER MOTOR VEHICLE.—The term ''passenger motor vehicle'' has the meaning given the term in section 32101 of title 49, United States Code.

(11) RADIO BROADCAST STATION.—The term ''radio broadcast station'' has the meaning given the

term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(12) RADIO STATION LICENSE.—The term ''radio station license'' has the meaning given the term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(13) RECEIVE.—The term ''receive'' means to receive a broadcast signal via over-the-air transmission.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(15) SIGNAL.—The term ''signal'' means radio frequency energy that a holder of a radio station license intentionally emits or causes to be emitted at a specified frequency for the purpose of transmitting content or programming to the public.

(16) STANDARD EQUIPMENT.—The term ''standard equipment'' means motor vehicle equipment (as defined in section 30102(a) of title 49, United States Code) that—

(A) is installed as a system, part, or component of a passenger motor vehicle as originally manufactured; and

(B) the manufacturer of the passenger motor vehicle recommends or authorizes to be

included in the passenger motor vehicle for no additional or separate monetary fee, payment, or surcharge, beyond the base price of the passenger motor vehicle.

(17) STATE.—The term ''State'' means each State of the United States, the District of Columbia, each commonwealth, territory, or possession of the United States, and each federally recognized Indian Tribe.

SEC. 3. AM BROADCAST STATIONS RULE.

(a) RULE REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator and the Federal Communications Commission, shall issue a rule—

(1) requiring devices that can receive signals and play content transmitted by AM broadcast stations be installed as standard equipment in passenger motor vehicles—

(A) manufactured in the United States for sale in the United States, imported into the United States, or shipped in interstate commerce; and

(B) manufactured after the effective date of the rule;

(2) requiring access to AM broadcast stations through the devices required under paragraph (1) in a manner that is easily accessible to drivers; and

(3) allowing a manufacturer to comply with that rule by installing devices as described in paragraph (1) that can receive signals and play content transmitted by digital audio AM broadcast stations.

(b) COMPLIANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), in issuing the rule required under subsection (a), the Secretary shall establish an effective date for the rule that is not less than 2 years, but not more than 3 years, after the date on which the rule is issued.

(2) CERTAIN MANUFACTURERS.—In issuing the rule required under subsection (a), the Secretary shall establish an effective date for the rule that is at least 4 years after the date on which the rule is issued with respect to manufacturers that manufactured not more than 40,000 passenger motor vehicles for sale in the United States in 2022.

(c) INTERIM REQUIREMENT.—For passenger motor vehicles manufactured after the date of enactment of this Act and manufactured in the United States for sale in the United States, imported into the United States, or

shipped in interstate commerce during the period beginning on the day after the date of enactment of this Act and ending on the day before the effective date of the rule issued under subsection (a) that do not include devices that can receive signals and play content transmitted by AM broadcast stations, the manufacturer of the passenger motor vehicles—

(1) shall provide clear and conspicuous labeling to inform purchasers of those passenger motor vehicles that the passenger motor vehicles do not include devices that can receive signals and play content transmitted by AM broadcast stations; and

(2) may not charge an additional or separate monetary fee, payment, or surcharge, beyond the base price of the passenger motor vehicles, for access to AM broadcast stations for the period described in this subsection.

(d) RELATIONSHIP TO OTHER LAWS.—After the date of enactment of this Act, a State or a political subdivision of a State may not prescribe or continue in effect a law, regulation, or other requirement applicable to access to AM broadcast stations in passenger motor vehicles.

(e) ENFORCEMENT.—

(1) CIVIL PENALTY.—Any person who violates the rule issued under subsection (a) shall be liable

to the United States Government for a civil penalty under section 30165(a)(1) of title 49, United States Code, as if that rule were a regulation described in that section.

(2) CIVIL ACTION.—The Attorney General may bring a civil action under section 30163 of title 49, United States Code, in an appropriate district court of the United States to enjoin a violation of the rule issued under subsection (a) of this section, as if that rule were a regulation described in subsection (a)(1) of that section 30163.

(f) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a comprehensive study on disseminating emergency alerts and warnings to the public.

(2) REQUIREMENTS.—The study required under paragraph (1) shall include—

(A) an assessment of—

(i) the role of passenger motor vehicles in IPAWS communications, including by providing access to AM broadcast stations;

(ii) the advantages, effectiveness, limitations, resilience, and accessibility of existing IPAWS communication technologies,

including AM broadcast stations in passenger motor vehicles;

(iii) the advantages, effectiveness, limitations, resilience, and accessibility of AM broadcast stations relative to other IPAWS communication technologies in passenger motor vehicles; and

(iv) whether other IPAWS communication technologies are capable of ensuring the President (or a designee) can reach at least 90 percent of the population of the United States at a time of crisis, including at night; and

(B) a description of any ongoing efforts to integrate new and emerging technologies and communication platforms into the IPAWS framework.

(3) CONSULTATION REQUIRED.—In conducting the study required under paragraph (1), the Comptroller General shall consult with—

(A) the Secretary of Homeland Security;

(B) the Federal Communications Commission;

(C) the National Telecommunications and Information Administration;

(D) the Secretary;

(E) Federal, State, Tribal, territorial, and local emergency management officials;

(F) first responders;

(G) technology experts in resilience and accessibility;

(H) radio broadcasters;

(I) manufacturers of passenger motor vehicles; and

(J) other relevant stakeholders, as determined by the Comptroller General.

(4) BRIEFING AND REPORT.—

(A) BRIEFING.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall brief the appropriate committees of Congress on the results of the study required by paragraph (1), including recommendations for legislation and administrative action as the Comptroller General determines appropriate.

(B) REPORT.—Not later than 180 days after the date on which the Comptroller General provides the briefing required under subparagraph (A), the Comptroller General shall submit to the appropriate committees of Congress

a report describing the results of the study required under paragraph (1), including recommendations for legislation and administrative action as the Comptroller General determines appropriate.

(g) REVIEW.—Not less frequently than once every 5 years after the date on which the Secretary issues the rule required by subsection (a), the Secretary, in coordination with the Administrator and the Federal Communications Commission, shall submit to the appropriate committees of Congress a report that shall include an assessment of—

(1) the impacts of the rule issued under that subsection, including the impacts on public safety; and

(2) possible changes to IPAWS communication technologies that would enable resilient and accessible alerts to drivers and passengers of passenger motor vehicles.

Amend the title so as to read: ''A bill to require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in passenger motor vehicles, and for other purposes.''.