H. R. ______

To amend subchapter II of chapter 301 of part A of subtitle VI of title 49, United States Code, to require the treatment of information related to highly automated vehicles as confidential business information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. ______ introduced the following bill; which was referred to the Committee on ______.

A BILL

To amend subchapter II of chapter 301 of part A of subtitle VI of title 49, United States Code, to require the treatment of information related to highly automated vehicles as confidential business information, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Guarding Automakers Against Unfair Advantages Reported in Public Documents Act” or the “GUARD Act”.

VerDate Nov 24 2008 09:46 Jun 15, 2017 Jkt 000000 PO 00000 Frm 00001 Fmt 6652 Sfmt 6201 C:\USERS\SLWALKER\APPDATA\ROAMING\SOFTQUAD\XM ETAL\7.0\GEN\C\NHTSA_~1.
SEC. 2. FOIA EXEMPTION.

(a) AMENDMENT.—Subchapter II of chapter 301 of part A of subtitle VI of title 49, United States Code, is amended by adding at the end the following new section:

“§ 30129. Automated driving system information

“(a) HIGHLY AUTOMATED VEHICLE EXEMPTIONS.—The following information received by the Secretary from a manufacturer or equipment manufacturer of highly automated vehicles, with respect to the design or testing of such vehicles, shall be treated as confidential business information:

“(1) Any report or data relating to the testing and validation of an event, incident, and crash data of automated driving systems.

“(2) Any report or data relating to the design and validation processes of electrical, electronic, communication, or mechanical functions of automated driving systems.

“(3) Any report or data relating to the testing and validation of cybersecurity in automated driving systems.

“(4) Any report or data relating to the assessment, testing, and validation of human machine interfaces.
“(5) Any report or data relating to the testing and validation of the fallback of an automated driving system.

“(6) Any report or data relating to the testing and validation of the object and event detection response capabilities of an automated vehicle.

“(b) DEFINITIONS.—In this section:

“(1) AUTOMATED DRIVING SYSTEM; FALLBACK; OBJECT AND EVENT DETECTION AND RESPONSE.— The terms ‘automated driving system’, ‘fallback’, and ‘object and event detection and response’ have the meaning given those terms in the September 2016 Surface Vehicle Recommended Practice Report (J3016) by SAE International[1, or any successor report thereto].

“(2) CONFIDENTIAL BUSINESS INFORMATION.—The term ‘confidential business information’ means trade secrets or commercial or financial information that is privileged or confidential, as described in section 552(b)(4) of title 5.

“(3) HIGHLY AUTOMATED VEHICLE.—The term ‘highly automated vehicle’—

“(A) means a motor vehicle equipped with an automated driving system; and
“(B) does not include a commercial motor vehicle (as defined in section 31101).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

The table of sections for subchapter II of chapter 301 of part A of subtitle VI of title 49, United States Code, is amended by adding at the end the following new item:

“30129. Automated driving system information.”.