

[DISCUSSION DRAFT]

115TH CONGRESS
1ST SESSION

H. R. _____

To direct the Federal Trade Commission and the Administrator of the National Highway Traffic Safety Administration to enter into a memorandum of understanding on the regulation and oversight of highly automated vehicles with respect to privacy and cybersecurity.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To direct the Federal Trade Commission and the Administrator of the National Highway Traffic Safety Administration to enter into a memorandum of understanding on the regulation and oversight of highly automated vehicles with respect to privacy and cybersecurity.

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 “Managing Government
5 Efforts to Minimize Autonomous Vehicle Obstruction Act”
6 or the “MEMO Act”.

1 **SEC. 2. MEMORANDUM OF UNDERSTANDING BETWEEN FTC**
2 **AND NHTSA.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of the enactment of this Act, the Federal Trade Com-
5 mission and the Administrator of the National Highway
6 Traffic Safety Administration shall enter into a memo-
7 randum of understanding on the regulation and oversight
8 of highly automated vehicles with respect to privacy and
9 cybersecurity.

10 (b) **REQUIREMENTS.**—The memorandum of under-
11 standing entered into under subsection (a) shall include—

12 (1) intentions to limit overlap and duplication
13 between regulation and oversight by the Commission
14 and by the Administrator;

15 (2) a commitment from the Commission to
16 focus on privacy and cybersecurity issues that are
17 not connected with the active operation of a highly
18 automated motor vehicle or the features of such ve-
19 hicle; and

20 (3) a commitment from the Administrator to
21 focus on privacy and cybersecurity issues that are
22 connected with the active operation of a highly auto-
23 mated motor vehicle or the features of such vehicle.

24 (c) **DEFINITIONS.**—In this section:

25 (1) **AUTOMATED DRIVING SYSTEM.**—The term
26 “automated driving system” has the meaning given

1 that term in the September 2016 Surface Vehicle
2 Recommended Practice Report (J3016) by SAE
3 International[, or any successor report thereto].

4 (2) HIGHLY AUTOMATED VEHICLE.—The term
5 “highly automated vehicle”—

6 (A) means a motor vehicle equipped with
7 an automated driving system; and

8 (B) does not include a commercial motor
9 vehicle (as defined in section 31101 of title 49,
10 United States Code).

11 (3) MOTOR VEHICLE.—The term “motor vehi-
12 cle” has the meaning given that term in section
13 30102(a) of title 49, United States Code.