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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To establish a process for survivors to request the termination or disabling of connected vehicle services that abusers misuse, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To establish a process for survivors to request the termination or disabling of connected vehicle services that abusers misuse, and for other purposes.

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 “Safe Vehicle Access
5 for Survivors Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ABUSER.—The term “abuser” means an in-
2 dividual identified by a survivor, pursuant to section
3 4, who has committed or allegedly committed a cov-
4 ered act against a survivor making a connected vehi-
5 cle services request.

6 (2) ACCOUNT HOLDER.—The term “account
7 holder” means an individual who is—

8 (A) a party to a contract with a covered
9 provider that involves a connected vehicle serv-
10 ice; or

11 (B) a subscriber, customer, or registered
12 user of a connected vehicle service.

13 (3) CONNECTED VEHICLE SERVICE.—The term
14 “connected vehicle service” means any capability
15 provided by or on behalf of a motor vehicle manufac-
16 turer or affiliate that enables a person to remotely
17 obtain data from or send commands to a covered ve-
18 hicle, which may be accomplished through a software
19 application that is designed to be operated on a mo-
20 bile device or computer.

21 (4) CONNECTED VEHICLE SERVICE REQUEST.—
22 The term “connected vehicle service request” means
23 a request by a survivor to terminate or disable an
24 abuser’s access to a connected vehicle service.

25 (5) COVERED ACT.—

1 (A) IN GENERAL.—The term “covered act”
2 means conduct that constitutes—

3 (i) a crime described in section
4 40002(a) of the Violence Against Women
5 Act of 1994 (34 U.S.C. 12291(a)), includ-
6 ing domestic violence, dating violence, sex-
7 ual assault, stalking, and sex trafficking;

8 (ii) an act or practice described in
9 paragraph (11) or (12) of section 103 of
10 the Trafficking Victims Protection Act of
11 2000 (22 U.S.C. 7102) (relating to severe
12 forms of trafficking in persons and sex
13 trafficking, respectively); or

14 (iii) an act under State law, Tribal
15 law, or the Uniform Code of Military Jus-
16 tice that is similar to an offense described
17 in clause (i) or (ii).

18 (B) CONVICTION NOT REQUIRED.—Noth-
19 ing in paragraph (1) shall be construed to re-
20 quire a criminal conviction or any other deter-
21 mination of a court in order for conduct to con-
22 stitute a covered act.

23 (6) COVERED CONNECTED VEHICLE SERVICE
24 ACCOUNT.—The term “covered connected vehicle
25 services account” means an account or other means

1 by which a person enrolls in or obtains access to a
2 connected vehicle service.

3 (7) COVERED PROVIDER.—The term “covered
4 provider” means a motor vehicle manufacturer, affil-
5 iate, or an entity acting on behalf of the motor vehi-
6 cle manufacturer that provides a connected vehicle
7 service.

8 (8) COVERED VEHICLE.—The term “covered ve-
9 hicle” means a motor vehicle that is the subject of
10 a connected vehicle request and identified by a sur-
11 vivor pursuant to section 4.

12 (9) EMERGENCY SITUATION.—The term “emer-
13 gency situation” means a situation that if allowed to
14 continue poses an imminent threat of serious bodily
15 harm or death to an individual.

16 (10) IN-VEHICLE INTERFACE.—The term “in-
17 vehicle interface” means a feature or mechanism in-
18 stalled in a vehicle that allows a person within the
19 vehicle to terminate or disconnect connected vehicle
20 services.

21 (11) SURVIVOR.—The term “survivor” means
22 an individual who is not less than 18 years old and
23 against whom a covered act has been committed or
24 allegedly committed.

1 (12) AFFILIATE.—The term “affiliate” means
2 any company that controls, is controlled by, or is
3 under common control with another company.

4 **SEC. 3. PROTECTION OF SURVIVORS.**

5 (a) IN GENERAL.—Notwithstanding an abuser being
6 an account holder, not later than 2 business days after
7 receiving a connected vehicle service request from a sur-
8 vivor pursuant to section 4, a covered provider shall take
9 1 or more of the following actions—

10 (1) terminate or disable a covered connected ve-
11 hicle service account associated with an abuser iden-
12 tified in the connected vehicle service request pursu-
13 ant to section 4;

14 (2) terminate or disable a covered connected ve-
15 hicle service account associated with the covered ve-
16 hicle, including by resetting or deleting any data or
17 wireless connection with respect to the covered vehi-
18 cle, and provide instructions to the survivor on how
19 to re-establish a connected vehicle service account
20 that does not include access by the abuser;

21 (3) terminate or disable covered connected vehi-
22 cle services for the covered vehicle, including by re-
23 setting or deleting any data or wireless connection
24 with respect to the covered vehicle, and provide in-

1 instructions to the survivor on how to re-establish con-
2 nected vehicle services; or

3 (4) if the vehicle has an in-vehicle interface,
4 provide information to the survivor about the avail-
5 ability of the in-vehicle interface and how to termi-
6 nate or disable connected vehicle services using the
7 in-vehicle interface.

8 (b) ACCESS TO ACCOUNT DATA.—If a covered pro-
9 vider takes action under subsection (a) in response to a
10 connected vehicle service request, the covered provider
11 shall deny a request from the abuser to obtain any data
12 connected to the connected vehicle service maintained by
13 the covered provider that was generated after the abuser's
14 access to the connected vehicle services was terminated or
15 disabled following a connected vehicle service request.

16 (c) LIMITATIONS ON PENALTIES, FEES, AND OTHER
17 REQUIREMENTS.—A covered provider may not make any
18 action undertaken pursuant to subsection (a) contingent
19 on any requirement other than the requirements under
20 section 4, including—

21 (1) payment of a fee, penalty, or other charge;

22 (2) maintaining or extending the term of a con-
23 nected vehicle service account;

24 (3) approval of the change by the account hold-
25 er, if the account holder is not the survivor; or

1 (4) an increase in the rate charged for the con-
2 nected vehicle service.

3 (d) NOTICE TO SURVIVOR.—

4 (1) IN GENERAL.—If a covered provider intends
5 to provide any formal notice to the abuser regarding
6 any action undertaken pursuant to subsection (a),
7 the covered provider shall notify the survivor of the
8 date on which the covered provider intends to give
9 such notice to the abuser.

10 (2) TIMING.—A covered provider shall take rea-
11 sonable steps to provide any formal notice to an
12 abuser pursuant to paragraph (1)—

13 (A) no less than 3 days after the survivor
14 has been notified; and

15 (B) only after the abuser’s access to the
16 connected vehicle service has been terminated
17 or disabled.

18 (3) MANNER OF CONTACT.—When completing a
19 connected vehicle service request, a covered provider
20 shall allow the survivor to elect the manner in which
21 the covered provider may—

22 (A) contact the survivor in response to the
23 request, if necessary; or

1 (B) notify the survivor of the inability of
2 the covered provider to complete the connected
3 vehicle service request.

4 (e) TECHNICAL INFEASIBILITY.—

5 (1) IN GENERAL.—The requirement to effec-
6 tuate the requested action in subsection (a) shall not
7 apply to a covered provider if the covered provider
8 cannot operationally or technically effectuate the re-
9 quest.

10 (2) NOTIFICATION.—If a covered provider can-
11 not operationally or technically effectuate the re-
12 quest as described in paragraph (1), the covered pro-
13 vider shall—

14 (A) promptly notify the survivor who sub-
15 mitted the connected vehicle service request of
16 that infeasibility; and

17 (B) provide the survivor with information
18 about whether the operational or technical in-
19 feasibility can be remedied and, if so, any steps
20 the survivor can take to assist in remedying
21 such infeasibility.

22 **SEC. 4. CONNECTED VEHICLE SERVICE REQUESTS.**

23 (a) IN GENERAL.—When making a connected vehicle
24 service request under this Act, the survivor shall provide—

1 (1) the vehicle identification number of the cov-
2 ered vehicle;

3 (2) the name of the abuser subject to the con-
4 nected vehicle service request; and

5 (3) either—

6 (A) proof of sole ownership of the covered
7 vehicle; or

8 (B) in the case of a vehicle that is not sole-
9 ly owned by the survivor—

10 (i) proof of exclusive legal possession
11 of the vehicle, which may take the form of
12 a court order awarding possession of the
13 vehicle to the survivor; or

14 (ii) in the case of a vehicle that is
15 owned in whole or in part by the abuser,
16 a dissolution decree, temporary order, or
17 domestic violence restraining order naming
18 the abuser if the decree or order grants
19 possession of the covered vehicle to the
20 survivor or restricts the abuser's use of a
21 connected vehicle service against the sur-
22 vivor.

23 (b) CONFIDENTIAL AND SECURE TREATMENT OF
24 PERSONAL INFORMATION.—

1 (1) IN GENERAL.—A covered provider and any
2 officer, director, employee, vendor, or agent thereof
3 shall treat any information submitted by a survivor
4 under subsection (a) as confidential and securely
5 dispose of the information not later than 90 days
6 after receiving the information.

7 (2) PROHIBITION ON SHARING.—A covered pro-
8 vider is prohibited from sharing information sub-
9 mitted by a survivor under subsection (a) with any
10 third party without the affirmative consent of the
11 survivor unless such sharing is required to effectuate
12 a connected vehicle service request under subsection
13 (a).

14 (3) INFORMATION PROVIDED BY SURVIVOR.—A
15 covered provider shall not require a survivor to pro-
16 vide any information other than what is required in
17 subdivision (a) to establish the ability to terminate
18 an abuser's access to connected vehicle services.

19 (4) RULE OF CONSTRUCTION.—

20 (A) IN GENERAL.—Nothing in paragraph
21 (1) shall be construed to prohibit a covered pro-
22 vider from maintaining, for longer than the pe-
23 riod specified in that paragraph, a record that
24 verifies that a survivor fulfilled the conditions of

1 a connected vehicle service request under sub-
2 section (a).

3 (B) DATA MINIMIZATION.—The data main-
4 tained under subparagraph (A) shall be limited
5 to that which is reasonably necessary and pro-
6 portionate to verify that a survivor fulfilled the
7 conditions of a connected vehicle service re-
8 quest.

9 (c) MINIMUM OBLIGATIONS.—The requirements in
10 this Act shall not prohibit or prevent a covered provider
11 from terminating or disabling an abuser’s access to con-
12 nected vehicle services in emergency situations after re-
13 ceiving a connected vehicle service request.

14 (d) CHANGES IN OWNERSHIP OR POSSESSION.—The
15 survivor shall take reasonable steps to notify the covered
16 provider of any change in ownership or possession from
17 what was provided under subsection (a) when the con-
18 nected vehicle service request was made that materially
19 impacts the need for action taken by the covered provider
20 under subsection 3(a).

21 **SEC. 5. CONSUMER NOTICES.**

22 (a) IN GENERAL.—To enhance transparency and
23 communication, a covered provider shall make information
24 about how survivors can safely make connected vehicle

1 service requests on a publicly available, user-friendly
2 website maintained by a covered provider, including—

3 (1) CONFIRMATION EMAIL.—Upon submission
4 of a connected vehicle service request, the covered
5 provider shall automatically send a confirmation
6 email to the survivor, acknowledging the receipt of
7 the connected vehicle service request. This email
8 shall contain a reference number for the request and
9 an outline of the subsequent steps in the process.

10 (2) ACTION OR RESOLUTION ALERT.—Upon
11 completion of review of the request, the survivor
12 shall be informed of the action taken, including the
13 termination of access to the connected vehicle service
14 or if additional information is needed. This alert
15 shall clearly state any relevant details or further ac-
16 tions required from the survivor.

17 (3) EXPLANATION AND ASSISTANCE.—In the
18 event of a connected vehicle service request's ap-
19 proval, the covered provider shall provide the sur-
20 vivor with a clear explanation and guidance on how
21 to create their own app account, if necessary, to en-
22 sure that the survivor can maintain control over the
23 connected vehicle service once the person's access to
24 the service has been terminated.

1 (4) OPT-OUT MEASURES.—In the event that an
2 abuser still has access to a survivor’s email account,
3 the covered provider shall provide the option to “opt-
4 out” of receiving notices regarding the connected ve-
5 hicle service request process, and to the best of their
6 ability, provide alternative options for the survivor to
7 maintain a record of the request process.

8 **SEC. 6. LIABILITY PROTECTION.**

9 A covered provider and any officer, director, em-
10 ployee, vendor, or agent thereof shall not be subject to
11 liability for any claims deriving from an action taken or
12 omission made with respect to compliance with this Act.

13 **SEC. 7. EFFECTIVE DATE.**

14 A covered provider—

15 (1) may comply with this Act beginning on the
16 date of enactment; and

17 (2) shall comply with this Act no later than 180
18 days after the date of enactment.

19 **SEC. 8. EFFECT ON OTHER LAWS.**

20 No state or political subdivision of a State may adopt,
21 maintain, enforce, prescribe, or continue in effect any law,
22 regulation, rule, standard, requirement, or other provision
23 having the force and effect of law of any State, or political
24 subdivision of a State, covered by or related to the provi-

1 sions of this Act, or a rule, regulation or requirement pro-
2 mulgated under this Act.

3 **SEC. 9. RULEMAKING.**

4 (a) RULEMAKING PROCEEDING REQUIRED.—Not
5 later than 180 days after the date of enactment of this
6 Act, the Federal Communications Commission, in con-
7 sultation with the National Highway Traffic Safety Ad-
8 ministration, shall issue a notice of proposed rulemaking
9 to prescribe how covered providers address connected vehi-
10 cle service requests and covered acts in accordance with
11 this Act, including, but not limited to—

12 (1) implementation of a reporting and notifica-
13 tion process that swiftly revokes or disables an abuser's
14 access to a survivor's data and takes into ac-
15 count—

16 (A) the heightened risk to a survivor for
17 abuse and retaliation upon reporting,

18 (B) the need for confidentiality in the re-
19 porting process,

20 (C) the ability to remove sensitive data
21 that has already been stored in the connected
22 vehicle service, and

23 (D) the ability of an abuser to utilize other
24 methods, such as a service request, to access a
25 survivors' data.

1 (2) methods, as the Federal Communications
2 Commission deems reasonable, to notify account
3 holders of connected vehicle services of—

4 (A) the options available to enhance safety
5 and privacy of their experience with the service,
6 and

7 (B) who can access their data and to what
8 extent they can control that access.

9 (b) REGULATIONS.—Not later than 2 years after the
10 date of enactment of this Act, the Federal Communica-
11 tions Commission, in consultation with the National High-
12 way Traffic Safety Administration, shall conclude the rule-
13 making proceeding initiated under subsection (a) and shall
14 prescribe regulations to implement the provisions regard-
15 ing how covered providers address connected vehicle serv-
16 ice requests and covered acts in accordance with this Act.