

AMENDMENT

OFFERED BY MR. BOST OF ILLINOIS

At the end of title I, insert the following:

1 **SEC. 133_. AM BROADCAST STATIONS RULE.**

2 (a) DEFINITIONS.—In this section:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Federal
5 Emergency Management Agency.

6 (2) AM BROADCAST BAND.—The term “AM
7 broadcast band” means the band of frequencies be-
8 tween 535 kilohertz and 1705 kilohertz, inclusive.

9 (3) AM BROADCAST STATION.—The term “AM
10 broadcast station” means a radio broadcast sta-
11 tion—

12 (A) licensed by the Federal Communica-
13 tions Commission for the dissemination of radio
14 communications intended to be received by the
15 public; and

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

18 (4) APPROPRIATE COMMITTEES OF CON-
19 GRESS.—The term “appropriate committees of Con-
20 gress” means—

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

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

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

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

9 (E) the Committee on Energy and Com-
10 merce of the House of Representatives.

11 (5) AUTOMATED DRIVING SYSTEM.—The term
12 “automated driving system” means a system that
13 meets the definition of Level 3, Level 4, or Level 5
14 automation as those terms are defined in the April
15 2021 edition of the J3016 recommended practice of
16 SAE International, “Taxonomy and Definitions for
17 Terms Related to Driving Automation Systems for
18 On-Road Motor Vehicles”.

19 (6) COMPTROLLER GENERAL.—The term
20 “Comptroller General” means the Comptroller Gen-
21 eral of the United States.

22 (7) DEVICE.—The term “device” means a piece
23 of equipment or an apparatus that is designed—

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

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

3 (8) DIGITAL AUDIO AM BROADCAST STATION.—

4 (A) IN GENERAL.—The term “digital
5 audio AM broadcast station” means an AM
6 broadcast station that uses an In Band On
7 Channel DAB System (as defined in section
8 73.402 of title 47, Code of Federal Regulations
9 (or a successor regulation)) for broadcasting
10 purposes.

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

16 (9) IPAWS.—The term “IPAWS” means the
17 public alert and warning system of the United
18 States described in section 526 of the Homeland Se-
19 curity Act of 2002 (6 U.S.C. 321o).

20 (10) MANUFACTURER.—The term “manufac-
21 turer” has the meaning given the term in section
22 30102(a) of title 49, United States Code.

23 (11) RADIO BROADCAST STATION.—The term
24 “radio broadcast station” has the meaning given the

1 term in section 3 of the Communications Act of
2 1934 (47 U.S.C. 153).

3 (12) RADIO STATION LICENSE.—The term
4 “radio station license” has the meaning given the
5 term in section 3 of the Communications Act of
6 1934 (47 U.S.C. 153).

7 (13) RECEIVE.—The term “receive” means to
8 receive a broadcast signal via over-the-air trans-
9 mission.

10 (14) SIGNAL.—The term “signal” means radio
11 frequency energy that a holder of a radio station li-
12 cense intentionally emits or causes to be emitted at
13 a specified frequency for the purpose of transmitting
14 content or programming to the public.

15 (15) STANDARD EQUIPMENT.—The term
16 “standard equipment” means motor vehicle equip-
17 ment (as defined in section 30102(a) of title 49,
18 United States Code) that—

19 (A) is installed as a system, part, or com-
20 ponent of a passenger motor vehicle as origi-
21 nally manufactured; and

22 (B) the manufacturer of the passenger
23 motor vehicle recommends or authorizes to be
24 included in the passenger motor vehicle for no
25 additional or separate monetary fee, payment,

1 or surcharge, beyond the base price of the pas-
2 senger motor vehicle.

3 (16) STATE.—The term “State” means each
4 State of the United States, the District of Columbia,
5 each commonwealth, territory, or possession of the
6 United States, and each federally recognized Indian
7 Tribe.

8 (b) RULE REQUIRED.—Not later than 1 year after
9 the date of enactment of this Act, the Secretary, in con-
10 sultation with the Administrator and the Federal Commu-
11 nications Commission, shall issue a rule—

12 (1) requiring devices that can receive signals
13 and play content transmitted by AM broadcast sta-
14 tions be installed as standard equipment in pas-
15 senger motor vehicles—

16 (A) manufactured in the United States for
17 sale in the United States, imported into the
18 United States, or shipped in interstate com-
19 merce; and

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

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

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

5 (c) REPORT REQUIRED.—Before issuing the rule re-
6 quired under subsection (b), the Secretary shall submit to
7 the Committee on Energy and Commerce of the House
8 of Representatives and the Committee on Commerce,
9 Science and Transportation of the Senate and make pub-
10 licly available on the website of the Department, a report
11 that evaluates the following:

12 (1) Any potential adverse impacts related to
13 automotive innovation and the motor vehicle safety
14 of passenger motor vehicles equipped with auto-
15 mated driving systems from the reception of AM
16 radio signals by such vehicles as required by sub-
17 section (b) of this section.

18 (2) The range of solutions that manufacturers
19 could adopt or have adopted to mitigate any poten-
20 tial impacts identified in paragraph (1).

21 (d) COMPLIANCE.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), in issuing the rule required under sub-
24 section (b), the Secretary shall establish an effective

1 date for the rule that is not more than 2 years after
2 the date on which the rule is issued.

3 (2) CERTAIN MANUFACTURERS.—In issuing the
4 rule required under subsection (b), the Secretary
5 shall establish an effective date for the rule that is
6 at least 4 years after the date on which the rule is
7 issued with respect to a manufacturer that manufac-
8 tured not more than 40,000 passenger motor vehi-
9 cles for sale in the United States in 2022.

10 (e) INTERIM REQUIREMENT.—For passenger motor
11 vehicles manufactured after the date of enactment of this
12 Act and manufactured in the United States for sale in
13 the United States, imported into the United States, or
14 shipped in interstate commerce during the period begin-
15 ning on the day after the date of enactment of this Act
16 and ending on the day before the effective date of the rule
17 issued under subsection (b) that do not include devices
18 that can receive signals and play content transmitted by
19 AM broadcast stations, the manufacturer of the passenger
20 motor vehicles—

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

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

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

11 (g) ENFORCEMENT.—

12 (1) CIVIL PENALTY.—Any person who violates
13 the rule issued under subsection (b) shall be liable
14 to the United States Government for a civil penalty
15 under section 30165(a)(1) of title 49, United States
16 Code, as if that rule were a regulation described in
17 that section.

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

25 (h) GAO STUDY.—

1 (1) IN GENERAL.—The Comptroller General
2 shall conduct a comprehensive study on dissemi-
3 nating emergency alerts and warnings to the public.

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

6 (A) an assessment of—

7 (i) the role of passenger motor vehi-
8 cles in IPAWS communications, including
9 by providing access to AM broadcast sta-
10 tions;

11 (ii) the advantages, effectiveness, limi-
12 tations, resilience, and accessibility of ex-
13 isting IPAWS communication technologies,
14 including AM broadcast stations in pas-
15 senger motor vehicles;

16 (iii) the advantages, effectiveness, limi-
17 tations, resilience, and accessibility of AM
18 broadcast stations relative to other IPAWS
19 communication technologies in passenger
20 motor vehicles; and

21 (iv) whether other IPAWS commu-
22 nication technologies are capable of ensur-
23 ing the President (or a designee) can reach
24 at least 90 percent of the population of the

1 United States at a time of crisis, including
2 at night; and

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

7 (3) CONSULTATION REQUIRED.—In conducting
8 the study required under paragraph (1), the Comp-
9 troller General shall consult with—

10 (A) the Secretary of Homeland Security;

11 (B) the Federal Communications Commis-
12 sion;

13 (C) the National Telecommunications and
14 Information Administration;

15 (D) the Secretary;

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

18 (F) first responders;

19 (G) technology experts in resilience and ac-
20 cessibility;

21 (H) radio broadcasters;

22 (I) manufacturers of passenger motor vehi-
23 cles; and

24 (J) other relevant stakeholders, as deter-
25 mined by the Comptroller General.

1 (4) BRIEFING AND REPORT.—

2 (A) BRIEFING.—Not later than 1 year
3 after the date of enactment of this Act, the
4 Comptroller General shall brief the appropriate
5 committees of Congress on the results of the
6 study required under paragraph (1), including
7 recommendations for legislation and adminis-
8 trative action as the Comptroller General deter-
9 mines appropriate.

10 (B) REPORT.—Not later than 180 days
11 after the date on which the Comptroller General
12 provides the briefing required under subpara-
13 graph (A), the Comptroller General shall sub-
14 mit to the appropriate committees of Congress
15 a report describing the results of the study re-
16 quired under paragraph (1), including rec-
17 ommendations for legislation and administrative
18 action as the Comptroller General determines
19 appropriate.

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

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

4 (2) possible changes to IPAWS communication
5 technologies that would enable resilient and acces-
6 sible alerts to drivers and passengers of passenger
7 motor vehicles.

8 (j) SUNSET.—This section shall sunset and no longer
9 be in effect on the date that is 8 years after the date of
10 enactment of this Act, including the authority of the Sec-
11 retary to carry out or enforce that rule.

