



April 10, 2024

The Honorable Brian Schatz
United States Senate
722 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Schatz,

On behalf of the Alliance for Automotive Innovation (Auto Innovators), I want to express my appreciation for the continued engagement with your office on our shared goal of protecting survivors of domestic violence. We've valued the opportunity to explore some of the unique challenges facing connected vehicle technologies with your staff and relevant stakeholders, including domestic violence advocacy organizations, and welcome the opportunity to work together on a solution. To that end, I am pleased to share a draft legislative proposal that we have developed with our member companies to enhance important protections to domestic violence survivors who are being stalked or harassed through connected vehicle technologies.

Safety is a cornerstone of the automotive industry and serves as a driving factor in automotive innovation and design. Consistent with that ethos, Auto Innovators understands the importance of protecting survivors of domestic violence from their abusers and is troubled by the potential and unacceptable misuse of connected vehicle services for these purposes. Congress should enact a vehicle-specific law to ensure that domestic violence survivors can quickly "terminate or disable an abuser's access to a connected vehicle service..." even if the abuser is the account holder.

Such a law will serve as an important complement to the *Safe Connections Act*. As you are well aware, the *Safe Connections Act* was drafted with the specific and defined purpose of protecting the ability of a domestic violence survivor to separate his or her mobile phone line and device from a wireless phone plan shared with their abuser. Since in-vehicle connectivity offerings fall outside of the purview and intent of the *Safe Connections Act*, Auto Innovators welcomes the opportunity to work with you and other stakeholders to implement a federal law that is tailored specifically to connected vehicle technologies.

We look forward to continuing working with you, your staff, and relevant stakeholders on this legislation and related opportunities to protect survivors.

Sincerely,

A handwritten signature in black ink that reads "Garrick C. Francis". The signature is written in a cursive, flowing style.

Garrick Francis
Vice President of Federal Affairs

SECTION 1. DEFINITIONS.

(a) **ABUSER.** – The term “abuser” means an individual identified by a survivor pursuant to section 3 who has committed or allegedly committed a covered act against a survivor making a connected vehicle services request.

(b) **ACCOUNT HOLDER.** – The term “account holder” means an individual who is –

(1) a party to a contract with a covered provider that involves a connected vehicle service; or

(2) a subscriber, customer, or registered user of a connected service.

(c) **CONNECTED VEHICLE SERVICE.** – The term “connected vehicle service” means any capability provided by or on behalf of a motor vehicle manufacturer that enables a person to remotely obtain data from or send commands to a covered vehicle, which may be accomplished through a software application that is designed to be operated on a mobile device.

(d) **CONNECTED VEHICLE SERVICE REQUEST.** – The term “connected vehicle service request” means a request by a survivor to terminate or disable an abuser’s access to a connected vehicle service.

(e) **COVERED ACT.** –

(1) **IN GENERAL.** – The term ‘covered act’ means conduct that constitutes –

(A) a crime described in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), including domestic violence, dating violence, sexual assault, stalking, and sex trafficking;

(B) an act or practice described in paragraph (11) or (12) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) (relating to severe forms of trafficking in

persons and sex trafficking, respectively); or

(C) an act under State law, Tribal law, or the Uniform Code of Military Justice that is similar to an offense described in clause (i) or (ii).

(2) **CONVICTION NOT REQUIRED.** – Nothing in paragraph (1) shall be construed to require a criminal conviction or any other determination of a court in order for conduct to constitute a covered act.

(f) **COVERED CONNECTED VEHICLE SERVICE ACCOUNT.** – The term “covered connected vehicle services account” means an account or other means by which a person enrolls in or obtains access to a connected vehicle service.

(g) **COVERED PROVIDER.** – The term ‘covered provider’ means a motor vehicle manufacturer or an entity acting on behalf of the motor vehicle manufacturer that provides a connected vehicle service.

(h) **COVERED VEHICLE.** – The term ‘covered vehicle’ means a motor vehicle without an in-vehicle interface that is the subject of a connected vehicle request and identified by a survivor pursuant to section 3.

(i) **IN-VEHICLE INTERFACE.** – The term “in-vehicle interface” means a feature or mechanism installed in a vehicle that allows a person within the vehicle to terminate or disconnect connected vehicle services.

(j) **SURVIVOR.** – The term “survivor” means an individual who is not less than 18 years old and against whom a covered act has been committed or allegedly committed

SECTION 2. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS.

(a) **IN GENERAL.** – Notwithstanding an abuser being an account holder, not later than 5 business days after receiving a connected vehicle service request from a survivor pursuant to Section 3, a covered provider shall

take one or more of the following actions –

- (1) terminate or disable a covered connected vehicle service account associated with an abuser identified in the connected vehicle service request pursuant to Section 3;
- (2) terminate or disable a covered connected vehicle service account associated with the covered vehicle, including by resetting or deleting any data or wireless connection with respect to the covered vehicle, and provide instructions to the survivor on how to re-establish a connected vehicle service account; or
- (3) terminate or disable covered connected vehicle services for the covered vehicle, including by resetting or deleting any data or wireless connection with respect to the covered vehicle, and provide instructions to the survivor on how to re-establish connected vehicle services.

(b) **LIMITATIONS ON PENALTIES, FEES, AND OTHER REQUIREMENTS.** – A covered provider may not make any action undertaken pursuant to subsection (a) contingent on any requirement other than the requirements under Section 3, including –

- (1) payment of a fee, penalty, or other charge;
- (2) maintaining or extending the term of a connected vehicle service account;
- (3) approval of the change by the account holder, if the account holder is not the survivor; or
- (4) an increase in the rate charged for the connected vehicle service.

(c) **NOTICE TO SURVIVOR.** – If a covered provider intends to provide any formal notice to the abuser regarding any action undertaken pursuant to subsection (a), the covered provider shall notify the survivor of the date on which the covered provider intends to give such notice to the abuser.

(d) TECHNICAL INFEASIBILITY. –

(1) IN GENERAL. – The requirement to effectuate the requested action in subsection (a) shall not apply to a covered provider if the covered provider cannot operationally or technically effectuate the request.

(2) NOTIFICATION. – If a covered provider cannot operationally or technically effectuate the request as described in paragraph (1), the covered provider shall –

(A) notify the survivor who submitted the connected vehicle service request of that infeasibility; and

(B) provide the survivor with information about potential alternatives to making a connected vehicle service request, such as initiating a new connected vehicle service account for the vehicle.

SECTION 3. CONNECTED VEHICLE SERVICES REQUESTS.

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

(1) the vehicle identification number of the covered vehicle;

(1) the identity of the abuser subject to the connected vehicle service request; and

(2) either –

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

(B) in the case of a vehicle that is owned or co-owned by the abuser–

(i) proof of exclusive legal possession of the vehicle, which may take the form of a court order awarding

possession of the vehicle to the survivor; or

- (ii) in the case of a vehicle that is owned in whole or in part by the abuser, a domestic violence restraining order naming the abuser if the restraining order grants possession of the covered vehicle to the survivor or addresses the abuser's use of a connected vehicle service against the survivor.

(b) CONFIDENTIAL AND SECURE TREATMENT OF PERSONAL INFORMATION. –

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

(2) RULE OF CONSTRUCTION. – Nothing in paragraph (1) shall be construed to prohibit a covered provider from maintaining, for longer than the period specified in that paragraph, a record that verifies that a survivor fulfilled the conditions of a connected vehicle service request under subsection (a).

(c) MINIMUM OBLIGATIONS. – The requirements in this Act shall not prohibit or prevent a covered provider from terminating or disabling an abuser's access to connected vehicle services in emergency situations after receiving a connected vehicle service request.

(d) CHANGES IN OWNERSHIP OR POSSESSION. – The survivor shall take reasonable steps to notify the covered provider of any change in ownership or possession from what was provided under subsection 3(a) when the connected vehicle service request was made that materially impacts the need for action taken by the covered provider under subsection 2(a).

SECTION 4. LIABILITY PROTECTION.

(a) IN GENERAL. – A covered provider and any officer, director, employee, vendor, or agent thereof shall not be subject to liability for any claims deriving from an action taken or omission made with respect to compliance with this Act.

SECTION 5. EFFECTIVE DATE.

(a) IN GENERAL. – A covered provider –

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

(2) shall comply with this Act no later than six months after the date of enactment.

SECTION 6. EFFECT ON OTHER LAWS.

(a) IN GENERAL. – No state or political subdivision of a State may adopt, maintain, enforce, prescribe, or continue in effect any law, regulation, rule, standard, requirement, or other provision having the force and effect of law of any State, or political subdivision of a State, covered by or related to the provisions of this Act, or a rule, regulation or requirement promulgated under this Act.