



1           (1) IN GENERAL.—A person may not offer for  
2           sale or lease to a first purchaser an optional safety  
3           feature unless such person—

4                   (A) offers such optional safety feature for  
5           sale or lease—

6                           (i) separately from any non-safety fea-  
7                   ture; or

8                           (ii) as standard trim equipment; and

9                   (B) clearly and conspicuously discloses to  
10           the first purchaser the cost of the optional safe-  
11           ty feature separately from any non-safety fea-  
12           ture.

13           (2) EFFECTIVE DATE.—Paragraph (1) shall  
14           take effect on the date that is 180 days after the  
15           date of the enactment of this Act.

16           (b) ENFORCEMENT BY COMMISSION.—

17                   (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
18           TICES.—A violation of subsection (a) shall be treated  
19           as a violation of a regulation under section  
20           18(a)(1)(B) of the Federal Trade Commission Act  
21           (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-  
22           tive acts or practices.

23                   (2) POWERS OF COMMISSION.—The Commis-  
24           sion shall enforce subsection (a) in the same man-  
25           ner, by the same means, and with the same jurisdic-

1       tion as though all applicable terms and provisions of  
2       the Federal Trade Commission Act were incor-  
3       porated into and made a part of this Act.

4               (3) RULE OF CONSTRUCTION.—Nothing in this  
5       Act shall be construed to limit the authority of the  
6       Commission under any other law.

7       (c) ACTIONS BY STATES.—

8               (1) IN GENERAL.—Except as provided in para-  
9       graph (6), in any case in which the attorney general  
10      of a State has reason to believe that an interest of  
11      the residents of that State has been or is threatened  
12      or adversely affected by an act or practice in viola-  
13      tion of subsection (a), or a regulation promulgated  
14      under such subsection, the State, as *parens patriae*,  
15      may bring a civil action on behalf of the residents  
16      of the State in an appropriate district court of the  
17      United States or other court of competent jurisdic-  
18      tion to—

19                       (A) enjoin that practice;

20                       (B) enforce compliance with such sub-  
21                       section, or such regulation;

22                       (C) obtain civil penalties;

23                       (D) obtain damages, restitution, or other  
24                       compensation on behalf of residents of the  
25                       State; and

1           (E) obtain such other legal and equitable  
2 relief as the court may consider to be appro-  
3 priate.

4           (2) RIGHTS OF COMMISSION.—

5           (A) NOTICE.—

6           (i) IN GENERAL.—Except as provided  
7 in clause (iii), the attorney general of a  
8 State shall notify the Commission in writ-  
9 ing that the attorney general intends to  
10 bring a civil action under paragraph (1) by  
11 not later than 60 days before initiating the  
12 civil action.

13           (ii) CONTENTS.—The notification re-  
14 quired by clause (i) with respect to a civil  
15 action shall include a copy of the complaint  
16 to be filed to initiate the civil action.

17           (iii) EXCEPTION.—If it is not feasible  
18 for the attorney general of a State to pro-  
19 vide the notification required by clause (i)  
20 before initiating a civil action under para-  
21 graph (1), the attorney general shall notify  
22 the Commission immediately upon insti-  
23 tuting the civil action.

1 (B) INTERVENTION.—Upon receiving the  
2 notice required by subparagraph (A), the Com-  
3 mission shall have the right—

4 (i) to intervene in the action; and

5 (ii) upon so intervening—

6 (I) to be heard on all matters  
7 arising therein; and

8 (II) to file petitions for appeal.

9 (3) INVESTIGATORY POWERS; SAVINGS PROVI-  
10 SION.—Nothing in this subsection may be construed  
11 to—

12 (A) prevent the attorney general of a State  
13 from exercising the powers conferred on the at-  
14 torney general by the laws of the State to con-  
15 duct investigations, to administer oaths or affir-  
16 mations, or to compel the attendance of wit-  
17 nesses or the production of documentary or  
18 other evidence; or

19 (B) prohibit the attorney general of a  
20 State, or other authorized State officer, from  
21 proceeding in State or Federal court on the  
22 basis of an alleged violation of any civil or  
23 criminal statute of that State.

24 (4) LIMITATION ON STATE ACTION WHILE FED-  
25 ERAL ACTION IS PENDING.—If the Commission or

1 the Attorney General of the United States has insti-  
2 tuted a civil action for violation of this Act (referred  
3 to in this subparagraph as the “Federal action”), no  
4 State attorney general, official, or agency may bring  
5 an action under this subsection during the pendency  
6 of the Federal action against any defendant named  
7 in the complaint in the Federal action for any viola-  
8 tion of such subsection alleged in such complaint.

9 (5) AWARD OF COSTS AND FEES.—If a State  
10 prevails in any civil action under paragraph (1), the  
11 State may recover reasonable costs and attorney  
12 fees.

13 (d) DEFINITIONS.—In this section:

14 (1) COMMISSION.—The term “Commission”  
15 means the Federal Trade Commission.

16 (2) FIRST PURCHASER; MANUFACTURER;  
17 MOTOR VEHICLE; MOTOR VEHICLE EQUIPMENT.—  
18 The terms “first purchaser”, “manufacturer”,  
19 “motor vehicle”, and “motor vehicle equipment”  
20 have the meanings given those terms in section  
21 30102 of title 49, United States Code.

22 (3) MOTOR VEHICLE MODEL.—The term  
23 “motor vehicle model” means a class of motor vehi-  
24 cles—

25 (A) of the same type and make; and

1 (B) that share a high degree of com-  
2 monality in design and construction.

3 (4) MOTOR VEHICLE TRIM.—The term “motor  
4 vehicle trim” means a class of motor vehicles—

5 (A) of the same type, make, and motor ve-  
6 hicle model, but not identical to the motor vehi-  
7 cle model; and

8 (B) that share a high degree of com-  
9 monality in design and construction.

10 (5) NON-SAFETY FEATURE.—The term “non-  
11 safety feature” means optional motor vehicle equip-  
12 ment that is not standard model equipment or an  
13 optional safety feature.

14 (6) OPTIONAL SAFETY FEATURE.—The term  
15 “optional safety feature” means motor vehicle equip-  
16 ment that—

17 (A) is not standard model equipment; and

18 (B) either—

19 (i) performs the lateral or longitudinal  
20 (but not both simultaneously) vehicle mo-  
21 tion control subtasks of the dynamic driv-  
22 ing task with the expectation that the driv-  
23 er monitors the system to execute a re-  
24 sponse to an object or event when nec-  
25 essary;

1 (ii) alerts the driver—

2 (I) if there is an unreasonable  
3 risk of a collision;

4 (II) to maintain the lane of trav-  
5 el; or

6 (III) if the driver is operating the  
7 motor vehicle in a way that indicates  
8 the driver may be distracted, dis-  
9 engaged, fatigued, intoxicated, or oth-  
10 erwise impaired;

11 (iii) improves illumination of the road-  
12 way;

13 (iv) enhances the view of the driver of  
14 the roadway;

15 (v) alerts emergency services after a  
16 crash of the motor vehicle is detected; or

17 (vi) performs such other safety func-  
18 tions as the Commission, in consultation  
19 with the Secretary of Transportation, de-  
20 termines appropriate.

21 (7) STANDARD MODEL EQUIPMENT.—The term  
22 “standard model equipment” means motor vehicle  
23 equipment installed in each motor vehicle within a  
24 motor vehicle model, regardless of the motor vehicle  
25 trim.

1           (8) STANDARD TRIM EQUIPMENT.—The term  
2           “standard trim equipment” means motor vehicle  
3           equipment installed in each motor vehicle of a motor  
4           vehicle trim.

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