

119TH CONGRESS
1ST SESSION

S. 1682

To direct the Consumer Product Safety Commission to promulgate a consumer product safety standard for certain gates, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 8, 2025

Mr. CURTIS (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Consumer Product Safety Commission to promulgate a consumer product safety standard for certain gates, 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 “Alex Gate Safety Act
5 of 2025”.

6 **SEC. 2. CONSUMER PRODUCT SAFETY STANDARD FOR COV-**
7 **ERED GATES.**

8 (a) STANDARD REQUIRED.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of the enactment of this Act, the Commis-
3 sion shall promulgate, in accordance with section
4 553 of title 5, United States Code, a final consumer
5 product safety standard for covered gates that in-
6 cludes the requirements described in paragraph (2).

7 (2) REQUIREMENTS DESCRIBED.—The require-
8 ments described in this paragraph for a covered gate
9 are the following:

10 (A) The covered gate meets the safety-re-
11 lated standards of ASTM F900–25, ASTM
12 F1184–23e1, or ASTM F2200–24, as applica-
13 ble to the relevant category of covered gate as
14 of January 1, 2025, or any successor standard.

15 (B) If the covered gate has an operator or
16 similar system, the gate meets the safety-re-
17 lated standards of ANSI/CAN/UL 325 as of
18 January 1, 2025, or any successor standard.

19 (b) CPSC DETERMINATION OF SCOPE.—In promul-
20 gating a consumer product safety standard under sub-
21 section (a), the Commission shall determine the types of
22 covered gates that are subject to the standard and ensure
23 that such covered gates are within the jurisdiction of the
24 Commission.

25 (c) REVISION OF VOLUNTARY STANDARDS.—

1 (1) NOTICE TO THE COMMISSION.—If an orga-
2 nization revises a voluntary standard that has been
3 adopted, in whole or in part, as a consumer product
4 safety standard under this section, the organization
5 shall notify the Commission of the revision.

6 (2) TREATMENT OF REVISION.—The revised
7 voluntary standard shall be considered to be adopted
8 by the Commission, effective on the date that is 180
9 days after the date on which the organization noti-
10 fies the Commission of the revision (or such later
11 date specified by the Commission in the Federal
12 Register) unless, not later than 90 days after the
13 date on which the organization notifies the Commis-
14 sion of the revision, the Commission notifies the or-
15 ganization that the Commission has determined that
16 the revision does not improve the safety of the cov-
17 ered gates to which the standard applies and that
18 the Commission is retaining the existing consumer
19 product safety standard. Not later than 90 days be-
20 fore the date on which a revised voluntary standard
21 is considered to be adopted by the Commission
22 under this subsection, the Commission shall publish
23 in the Federal Register notice that such revised vol-
24 untary standard will be considered to be so adopted
25 on such date.

1 (d) FUTURE RULEMAKING.—At any time after the
 2 promulgation of a consumer product safety standard
 3 under subsection (a), the Commission may initiate a rule-
 4 making, in accordance with section 553 of title 5, United
 5 States Code, to modify such standard, if the Commission
 6 determines that a modification would further reduce the
 7 risk of injury associated with covered gates.

8 (e) TREATMENT OF STANDARDS.—Any consumer
 9 product safety standard promulgated under subsection (a)
 10 (including any modification of such standard under sub-
 11 section (c)) or revised voluntary standard considered to
 12 be adopted by the Commission under subsection (c) shall
 13 be treated as a consumer product safety rule promulgated
 14 under section 9 of the Consumer Product Safety Act (15
 15 U.S.C. 2058).

16 **SEC. 3. EDUCATION AND AWARENESS CAMPAIGN.**

17 (a) IN GENERAL.—Not later than 2 years after the
 18 date of the enactment of this Act, the Commission shall
 19 undertake a national campaign to promote awareness and
 20 educate the public about the dangers associated with cov-
 21 ered gates, including the dangers of detached or falling
 22 covered gates, and methods (including low-cost methods)
 23 to prevent covered gates from causing death or injury, in-
 24 cluding safety standards relating to covered gates and best

1 practices for design, installation, inspection, maintenance,
2 and improvement of covered gates.

3 (b) REQUIREMENTS.—In carrying out the campaign
4 required by subsection (a), the Commission shall employ,
5 at a minimum, the following:

6 (1) Educational materials designed for covered
7 gate manufacturers, contractors, retailers, and serv-
8 ice companies.

9 (2) Educational materials designed for con-
10 sumers, owners, and operators of covered gates.

11 (3) Educational materials designed for building
12 officials and local educational agencies to support
13 the updating and enforcement of building codes for
14 new and existing buildings with respect to the safety
15 of covered gates.

16 (c) REPORT TO CONGRESS.—Not later than 3 years
17 after the date of the enactment of this Act, the Commis-
18 sion shall submit to Congress a report that contains a
19 summary of actions taken by the Commission in the cam-
20 paign required by subsection (a).

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

23 (1) BUILDING OFFICIAL.—The term “building
24 official” means any State, Tribal, territorial, or local
25 official who is responsible for proposing modifica-

tions to building codes, participating in adopting building codes, interpreting building code requirements, overseeing building code enforcement activities, or otherwise administering building codes.

(2) COMMISSION.—The term “Commission” means the Consumer Product Safety Commission.

(3) COVERED GATE.—The term “covered gate” means—

(A) an automatic vehicular gate;

(B) a manual vehicular gate; and

(C) any other gate that is more than 48 inches wide or 84 inches or greater in height.

(4) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) MANUFACTURER.—The term “manufacturer” has the meaning given such term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)).

(6) POSITIVE STOPS.—The term “positive stops” means an immovable component that, by the placement of the component, physically impedes the motion of a covered gate.

1 (7) STATE.—The term “State” has the mean-
2 ing given such term in s

3 (8) ection 3(a) of the Consumer Product Safety
4 Act (15 U.S.C. 2052(a)).

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