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ONE HUNDRED NINETEENTH CONGRESS

# Congress of the United States

## House of Representatives

### COMMITTEE ON ENERGY AND COMMERCE

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Majority (202) 225-3641

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January 9, 2026

#### MEMORANDUM

TO: Members, Subcommittee on Commerce, Manufacturing, and Trade  
FROM: Committee Majority Staff  
RE: Subcommittee on Commerce, Manufacturing, and Trade Legislative Hearing on  
Motor Vehicle Safety and Policy

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#### I. INTRODUCTION

The Subcommittee on Commerce, Manufacturing, and Trade has scheduled a hearing on Tuesday, January 13, at 2:00 p.m. (ET) in 2175 Rayburn House Office Building. The hearing title is “Examining Legislative Options to Strengthen Motor Vehicle Safety, Ensure Consumer Choice and Affordability, and Cement U.S. Automotive Leadership.”

#### II. WITNESSES

- Ms. Hilary Cain, Senior Vice President, Alliance For Automotive Innovation
- Mr. Bill Hanvey, President and CEO, Auto Care Association
- Mr. Finch Fulton, Government Affairs Advisor, K&L Gates
- Mr. Michael Brooks, Executive Director, Center for Auto Safety

#### III. BACKGROUND

The United States (U.S.) automotive industry and related industries is a cornerstone of the U.S. economy, acting as one of America’s largest exporters, employers, and economic drivers. Automobiles are also crucial for most Americans’ daily life, enabling business and leisure travel, daily commuting, transportation of goods, and provision of services. Despite being embedded in American culture, however, the automotive marketplace is facing significant challenges.

First, while the fatality rate from motor vehicle crashes has plunged by almost 90 percent from its peak in the 1920s, the National Highway Traffic Safety Administration (NHTSA)

estimates that 39,345 Americans died in motor vehicle crashes in 2024.<sup>1</sup> In addition to the human tragedy, motor vehicle crashes cost the U.S. economy \$340 billion annually, including \$30 billion specifically in taxpayer expenses related to increased medical costs, lost productivity, and legal costs.<sup>2</sup>

NHTSA's primary mission is to "save lives, prevent injuries, and reduce economic costs."<sup>3</sup> NHTSA aims to achieve its safety mission through consumer education, nationwide motor vehicle safety regulations, road safety programs, and research.<sup>4</sup> NHTSA is the sole regulator of automobile safety, through its statutory responsibility to regulate the design, construction, and performance of motor vehicles. The agency carries out this mission through issuing Federal Motor Vehicle Safety Standards (FMVSS) or minimum performance standards for motor vehicles, and it ensures safety through investigations, recalls, and civil penalties.<sup>5</sup> NHTSA can improve safety through consumer education and voluntary efforts, such as the New Car Assessment Program (NCAP). Through vehicle testing, NCAP provides comparative safety information and ratings on new vehicles to assist consumers and incentivize the development of safer vehicles.

In addition to addressing broader safety concerns on the roadways, NHTSA faces internal challenges of its own. The agency has limited resources and staffing and could better plan and prioritize its functions. Accordingly, NHTSA has fallen behind in congressionally mandated reports and rulemakings. Congress has significantly contributed to this dynamic by failing to prioritize its regulatory directives and imposing unrealistic mandates on the agency, including by neglecting to ensure necessary research is conducted prior to imposing required rulemakings. Congress has an opportunity to strengthen NHTSA and motor vehicle safety through improving the agency's operations, reforming its rulemaking practices, modernizing key safety programs such as the NCAP, and right-sizing new rulemakings to match the agency's resources.

Second, the automotive sector faces substantial marketplace and regulatory challenges. In 2023, the U.S. produced an estimated 10.6 million vehicles, down 39 percent since 2004. Meanwhile, China produced 30 million vehicles in 2023, a staggering 297 percent increase from 2004.<sup>6</sup> China is also focusing on establishing itself as the world leader in electric and automated vehicle technology, which risks putting the U.S. at a significant competitive and technological disadvantage. Domestically, the automotive industry faces a challenging regulatory environment, including duplicative vehicle emissions requirements, electric vehicle mandates, and the absence of a clear federal framework for automated vehicles, resulting in a patchwork of regulations

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<sup>1</sup> David Leonhardt, *The Rise in U.S. Traffic Deaths*, THE N.Y. TIMES (Dec. 11, 2023), <https://www.nytimes.com/2023/12/11/briefing/us-traffic-deaths.html>; NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., U.S. DEPT. OF TRANSP., EARLY ESTIMATE OF MOTOR VEHICLE TRAFFIC FATALITIES IN 2024 (2025); (NHTSA Estimate of Motor Vehicle Fatalities, 2024).

<sup>2</sup> Press Release, U.S. Dept. of Transpo., Nat'l Highway Traffic Safety Admin., Traffic Crashes Cost America \$340 billion in 2019 (Jan. 10, 2023) (on file with author).

<sup>3</sup> *Id.*

<sup>4</sup> NHTSA's Core Values, NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., <https://wwwnhtsa.gov/about-nhtsa/nhtsas-core-values> (last visited Jun. 16, 2025).

<sup>5</sup> See generally, 49 U.S.C. Ch. 301.

<sup>6</sup> FED. INS. OFF., U.S. DEPT. OF THE TREASURY, REPORT OF PERSONAL AUTO INSURANCE MARKETS AND TECHNOLOGICAL CHANGE (2025).

across 35 states. Finally, the automotive industry continues to face supply chain challenges, including shortages of semiconductors, rare earth elements, and magnets.

Third, affordability in the automotive marketplace has become an increasingly significant challenge. The average cost of a new motor vehicle surpassed \$50,000 last year, setting a new record.<sup>7</sup> Also, motor vehicle repair costs have rapidly increased, outpacing motor vehicle parts and equipment, new and used motor vehicles, and the average cost of all consumer goods.<sup>8</sup> Higher repair costs reduce the likelihood that vehicle owners will make necessary repairs, creating potential safety risks, or may lead consumers to turn to low-quality parts that may not meet safety standards.

To address affordability challenges, NHTSA recently announced changes to its fuel economy rules for passenger cars, which will lead to average savings of \$1,000 per vehicle.<sup>9</sup> Modernizing NHTSA and unlocking new automotive innovations will further help address the affordability challenges in the automotive marketplace. Further, Congress must be conscious of how new regulatory mandates impact affordability, while also ensuring motor vehicle safety.

#### IV. LEGISLATION

The Subcommittee intends to discuss the following legislation:

##### **A. H.R. \_\_\_, Motor Vehicle Modernization Act (Chairman Guthrie)**

This bill provides a five-year authorization for key motor vehicle safety and consumer information programs at NHTSA. The bill makes substantial reforms to NCAP to ensure the NCAP aligns with and informs NHTSA's research and regulatory agenda and provides helpful safety information to consumers. NHTSA's accountability is increased under the bill through requiring regular research and rulemaking priority plans, updates to Congress on outstanding research and rulemaking requirements, and use of leading project schedule management practices. The bill also spurs the safe innovation of motor vehicle technologies through regular review of existing safety standards, expanded testing and evaluation for motor vehicle equipment, and significant reforms to NHTSA's general exemption process.

The bill further modernizes NHTSA's recall process through examining solutions to improve the recall rate, providing consumer choice and flexibility in recall communications, and ensuring recalls are targeted to vehicles with actual safety defects or safety standard violations. Finally, the bill addresses other safety considerations as well, including improving consumer education on vehicle automation technologies, examining the factors affecting the cost and average age of motor vehicles, authorizing research to ensure the safety of wheelchair users in motor vehicles, and modernizing vehicle identification numbering.

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<sup>7</sup> Jack Fitzgerald, *Average New Car Prices Rise Above \$50,000 for the First Time Ever*, CAR AND DRIVER (Oct. 16, 2025), <https://www.caranddriver.com/news/a69047202/average-new-car-price-rises-above-50000/>.

<sup>8</sup> DANA A. SCHERER, CONG. RSCH, SERV., R48131, ACCESS TO MOTOR VEHICLE SOFTWARE AND DATA (2024) (CRS Report).

<sup>9</sup> Fact Sheet: President Donald J. Trump Announces the Reset of Corporate Average Fuel Economy (CAFE) Standards, THE WHITE HOUSE, <https://www.whitehouse.gov/fact-sheets/2025/12/fact-sheet-president-donald-j-trump-announces-the-reset-of-corporate-average-fuel-economy-cafe-standards/> (last visited Dec. 22, 2025).

**B. H.R. \_\_\_, Safety Is Not for Sale Act of 2026 (Ranking Member Pallone)**

This bill requires that any person who sells or leases a vehicle offering optional safety features to a first purchaser of that vehicle must offer that feature separately from non-safety features or as part of standard trim equipment. This bill further requires the seller to clearly and conspicuously disclose the cost of optional safety features separately from any non-safety features. This bill is enforced by the Federal Trade Commission and state attorneys general.

**C. H.R. \_\_\_, Safely Ensuring Lives Future Deployment and Research In Vehicle Evolution (SELF DRIVE) Act of 2026 (Reps. Latta and Dingell)**

This discussion draft outlines a federal framework for ADS-equipped vehicles, colloquially known as autonomous vehicles. The discussion draft directs NHTSA to conduct a rulemaking to require that manufacturers establish and maintain a safety case, which outlines how a manufacturer, supported by evidence, demonstrates the safety of an ADS. The safety case requires consideration of specific safety competencies on topics including safe driving performance, detecting and responding to emergency vehicles and school buses, compliance with local traffic laws, and cybersecurity. The discussion draft also allows for the safe removal of manual controls such as steering wheels and brakes for motor vehicles (generally inapplicable for Level 4 and 5 ADS-equipped vehicles), establishing reporting requirements to track crashes involving ADS-equipped vehicles, authorizing manufacturers to conduct limited testing and evaluation of ADS-equipped vehicles for commercial purposes, and authorizing a manufacturer to disable certain driving controls that relate to the performance of an ADS-equipped vehicle. Finally, the discussion draft directs the Secretary of Commerce to review the final rule on *Securing the Information and Communications Technology and Services Supply Chain: Connected Vehicles*.

**D. H.R. 1566, Right to Equitable and Professional Auto Industry Repair (REPAIR) Act (Reps. Dunn and Perez)**

This bill prohibits manufacturers from employing technological or legal barriers to prevent motor vehicle owners from accessing vehicle-generated data, using their choice of a towing or service provider, or diagnosing, repairing, or maintaining a vehicle in the same manner as a manufacturer or dealer. Vehicle generated data must also be available to other aftermarket entities in the same manner as a manufacturer or dealer. The bill also limits the ability to use technological or legal barriers to prevent aftermarket entities from accessing critical repair information or tools, or from producing or offering compatible aftermarket vehicle parts. Manufacturers are further prohibited from mandating or implying a mandate to use a particular brand for parts, tools, or equipment or to recommend such brands without an appropriate disclosure to the consumer. The bill establishes an advisory committee at the Federal Trade Commission to examine the implementation of this bill along with broader competition issues in the automotive aftermarket. The bill directs NHTSA to conduct a rulemaking to inform consumers of their rights under this bill. Finally, the requirements of the bill are enforced by the Federal Trade Commission (FTC) as an unfair or deceptive practice.

**E. H.R. 4376, AV Safety Data Act (Rep. Mullin)**

This bill directs NHTSA to establish a data reporting mechanism for covered vehicles equipped with Level 2 advanced driver assistance systems that codifies the current requirements in NHTSA's Third Amended Standing General Order 2021-01. The bill also expands the scope of the data reporting mechanism to include a monthly report on vehicle miles traveled of covered vehicles, collisions with vulnerable road users, and information on any unplanned stoppages, such as interference with first responders, construction and work zones, public transit, or stoppage that requires intervention by the vehicle's manufacturer or operator.

**F. H.R. 3360, Driver Technology and Pedestrian Safety Act (Rep. Mullin)**

This bill requires the U.S. Department of Transportation (USDOT) to examine the impact of driver-controlled technologies, such as in-vehicle touch screens, on motor vehicle safety and submit a report to Congress on the findings and recommendations based on the study's findings.

**G. H.R. 6687, DRIVER Act (Rep. Harshbarger)**

This bill provides vehicle owners and vehicle manufacturers with joint ownership and control of motor vehicle data. Further, this bill requires vehicle manufacturers and vehicle fleet owners to provide a driver or vehicle owner a clear and conspicuous opportunity to deny sale of covered data, including precise geolocation, biometric information, driving behavior, and data stored on a personal device. This bill authorizes the FTC to enforce these requirements and treat violation as unfair or deceptive acts or practices under the FTC.

**H. H.R. 6688, ADAS Functionality and Integrity Act (Reps. Harshbarger, Obernolte, Vasquez, and Torres – CA)**

This bill requires the USDOT to study and submit a report to Congress assessing the cost, safety needs, and feasibility of establishing standards to support ADAS calibration and functionality after vehicle modification. Further, it would direct NHTSA to issue guidelines regarding vehicle modification thresholds to maintain ADAS functionality and calibration procedures. This bill enforces the guidelines through NHTSA's civil penalty authority.

**I. H.R. 6850, DRIVE to HALT Drunk Driving Act (Rep. Dingell)**

This bill prohibits a covered manufacturer from selling fewer than 10,000 passenger motor vehicles a year that meet the DADSS Subsystem Performance Specification Document and fewer than 10,000 passenger motor vehicles that comply with section 3.5.1 through 3.5.4.4 of the European New Car Assessment Programme version 10.3. If the European New Car Assessment Programme standard is updated, the bill permits the Secretary to make a determination that the standard does not meet the need for motor vehicle safety and not to adopt it. Finally, the bill includes a sunset upon the effective date of the rule required under Section 24220 of Infrastructure Investment and Jobs Act (IIJA).

**J. H.R. 1137, No Kill Switches in Cars Act (Rep. Perry)**

This bill repeals Section 24220 of the IIJA. Section 24220 requires NHTSA to prescribe a federal motor vehicle safety standard that requires passenger motor vehicles to be equipped with advanced drunk and impaired driving prevention technology.

**K. H.R. 3385, To direct the Secretary of Transportation to issue certain regulations to update the definition of motorcycle, and for other purposes. (Rep. Van Orden)**

This bill requires USDOT to update the definition of a motorcycle to define a motorcycle as a vehicle with a seat or straddle, capable of reaching speeds in excess of 30 miles per hour, having fewer than four wheels, having steering controlled by handlebars, and having acceleration and braking controlled by handlebar and foot controls.

**L. H.R. 5221, PART Act (Reps. Baird and McCollum)**

This bill requires NHTSA to update its theft prevention standard to add catalytic converters, which requires the marking of catalytic converters. The bill also establishes a grant program to assist certain eligible entities to stamp catalytic converters, includes record retention requirements for motor vehicle parts recyclers, repairers, and salvagers to improve the tracking of catalytic converters, and establishes criminal penalties for the theft and sale of catalytic converters or precious metals from a catalytic converter.

**M. H.R. 2110, Safe Vehicle Access for Survivors Act (Reps. Dingell and Crenshaw)**

This bill directs the Federal Communications Commission (FCC), in coordination with NHTSA, to establish a process for survivors of covered acts to request the termination or disabling of, and the restricting of access to account data from, connected vehicle services from someone who commits a covered act.

**N. H.R.\_\_\_\_, Know Before You Drive Act (Rep. Schrier)**

This bill prohibits manufacturers from making representations that would lead a reasonable person to believe that ADAS can function as automated driving systems. The bill requires notifications to consumers by manufacturers or dealers prior to selling a vehicle about the features and capabilities of vehicles equipped with ADAS and requires such disclosures also to be included on Monroney labels. The bill is enforced by NHTSA, the Federal Trade Commission, and State Attorneys General.

**O. H.R. 6947, Securing Accessible Functional Emergency (SAFE) Exit Act (Rep. Kelly-IL)**

This bill requires NHTSA to amend motor vehicle standards to mandate motor vehicles equipped with electronic door latches to have an intuitive and readily accessible manual mechanism for opening doors and allowing the occupants to exit, and a means for first responders to have access to the passenger compartment, even in cases of electrical power loss.

**P. H.R.\_\_\_\_, Safe Streets for Everyone Act of 2026 (Rep. Clarke)**

This bill directs the USDOT to issue a final rule to establish minimum performance standards requiring an automatic emergency braking (AEB) system on certain new vehicles. The AEB system must be capable of functioning in different lighting conditions and detecting and responding to vulnerable road users and consider clothing and different skin color complexions.

**V. KEY QUESTIONS**

1. What steps can Congress take to address significant, increasing costs of motor vehicles, automobile insurance, and maintenance and repair?
2. How do excessive regulatory mandates on manufacturers and others in the automotive industry affect automotive affordability?
3. Considering NHTSA's existing resources, what legislative reforms are needed to modernize NHTSA and improve the agency's efficiency?
4. How can Congress strengthen NHTSA's NCAP to improve safety and consumer awareness of motor vehicle safety features?
5. What policies can Congress take to ensure American leadership in autonomous vehicles?
6. What is the appropriate role of the federal government in regulating right to repair and the automotive aftermarket?

**VI. STAFF CONTACTS**

If you have any questions regarding this hearing, please contact Giulia Leganski, Matt Furlow, or Alex Khlopin of the Committee Staff at (202) 225-3641.