118TH CONGRESS  
1ST Session  

S. ______

To require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in motor vehicles, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. Markey introduced the following bill; which was read twice and referred to the Committee on ___________________

__________________________

A BILL

To require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in motor vehicles, 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 “AM Radio for Every
5 Vehicle Act of 2023”.

6 SEC. 2. AM BROADCAST STATIONS RULEMAKING.

7 (a) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Federal
10 Emergency Management Agency.
(2) AM BROADCAST BAND.—The term “AM broadcast band” means the band of frequencies between 535 kilohertz and 1705 kilohertz, inclusive.

(3) AM BROADCAST STATION.—The term “AM broadcast station” means a broadcast station licensed for the dissemination of radio communications—

(A) intended to be received by the public; and

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

(4) AUTHORIZED ALERT ORIGINATOR.—The term “authorized alert originator” means a Federal, State, local, Tribal, or territorial government agency or official that is legally authorized to initiate alert messages for transmission to the public using the Integrated Public Alert and Warning System.

(5) COMPTROLLER GENERAL.—The term “Comptroller General” means the Comptroller General of the United States.

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

(A) to receive signals transmitted by a radio broadcast station (as defined in section 3
of the Communications Act of 1934 (47 U.S.C. 153)); and

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

(7) **DIGITAL AUDIO AM BROADCAST STATION.**—

(A) **IN GENERAL.**—The term “digital audio AM broadcast station” means an AM broadcast station that—

(i) is licensed by the Federal Communications Commission; and

(ii) uses an In-band On-channel system (as defined in section 73.402 of title 47, Code of Federal Regulations (or a successor regulation)) for broadcasting purposes.

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

(8) **INTEGRATED PUBLIC ALERT AND WARNING SYSTEM.**—The term “Integrated Public Alert and Warning System” means the public alert and warning system of the United States described in section

(9) MANUFACTURER.—The term “manufacturer” has the meaning given the term in section 30102(a) of title 49, United States Code.

(10) MOTOR VEHICLE.—The term “motor vehicle” has the meaning given the term in section 30102(a) of title 49, United States Code.

(11) RECEIVE.—The term “receive” means to receive a broadcast signal via over-the-air transmission.

(12) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(13) SIGNAL.—The term “signal” means radio frequency energy that a holder of a radio station license granted or authorized by the Federal Communications Commission pursuant to sections 301 and 307 of the Communications Act of 1934 (47 U.S.C. 301, 307) intentionally emits or causes to be emitted at a specified frequency for the purpose of transmitting content or programming to the public.

(14) STANDARD EQUIPMENT.—The term “standard equipment” means motor vehicle equipment (as defined in section 30102(a) of title 49, United States Code) that—
(A) is installed as a system, part, or component of a motor vehicle as originally manufactured; and

(B) the manufacturer of the motor vehicle recommends or authorizes to be included in the motor vehicle for no additional or separate monetary fee, payment, or surcharge, beyond the base price of a motor vehicle.

(b) Rulemaking Required.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator and the Federal Communications Commission, shall issue a rule—

(1) requiring devices that can receive signals and play content transmitted by AM broadcast stations be installed as standard equipment in motor vehicles manufactured in the United States, imported into the United States, or shipped in interstate commerce after the effective date of the rule;

(2) requiring dashboard access to AM broadcast stations in a manner that is conspicuous to a driver; and

(3) allowing a manufacturer to comply with that rule by installing devices that can receive signals and play content transmitted by digital audio AM broadcast stations as standard equipment in
motor vehicles manufactured in the United States, imported into the United States, or shipped in interstate commerce after the effective date of the rule.

(c) INTERIM REQUIREMENT.—For motor vehicles manufactured in the United States, imported into the United States, or shipped in interstate commerce between the period of time beginning on the date of enactment of this Act and ending on the effective date of the rule issued under subsection (b) that do not include devices that can receive signals and play content transmitted by AM broadcast stations, the manufacturer of the motor vehicles shall provide clear and conspicuous labeling to inform purchasers of those motor vehicles that the motor vehicles do not include devices that can receive signals and play content transmitted by AM broadcast stations.

(d) ENFORCEMENT.—

(1) CIVIL PENALTY.—Any person failing to comply with the rule issued under subsection (b) shall be liable to the United States Government for a civil penalty in accordance with section 30165(a)(1) of title 49, United States Code.

(2) CIVIL ACTION.—The Attorney General may bring a civil action in an appropriate district court of the United States to enjoin a violation of the rule
issued under subsection (b) in accordance with section 30163 of title 49, United States Code.

(c) Study.—

(1) Study required.—

(A) In General.—The Comptroller General shall study and assess whether an alternative communication system for delivering emergency alerts and critical public safety information distributed by the Integrated Public Alert and Warning System to drivers and passengers of motor vehicles exists that—

(i) is as reliable and resilient as AM broadcast stations; and

(ii) is capable of ensuring the President (or a designee) can reach at least 90 percent of the population of the United States in a time of crisis, including at night.

(B) Considerations.—In carrying out the study required by subparagraph (A), the Comptroller General shall consider—

(i) the cost to drivers and passengers to receive communications through an alternative communication system; and
(ii) in consultation with the Federal Emergency Management Agency, the Federal Communications Commission, and authorized alert originators, the cost and time required to develop and implement an alternative resilient communication system that fully replicates the capability to deliver emergency alerts and critical public safety information distributed by the Integrated Public Alert and Warning System.

(2) Briefing; Report.—

(A) Briefing.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall brief the appropriate committees of Congress on the results of the study required by paragraph (1)(A), including recommendations for legislation and administrative action as the Comptroller General determines appropriate.

(B) Report.—Not later than 180 days after the date on which the Comptroller General provides the briefing required under subparagraph (A), the Comptroller General shall submit to the Committees on Commerce, Science, and Transportation and Homeland Security and
Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives a report describing the results of the study required under paragraph (1)(A), including recommendations for legislation and administrative action as the Comptroller General determines appropriate.