

AMENDMENT TO H.R. 8748
OFFERED BY MR. OBERNOLTE OF CALIFORNIA

Add at the end the following:

1 **SEC. 10. ELECTRIC VEHICLE FIRE RESPONSE WORKING**
2 **GROUP.**

3 (a) DEFINITIONS.—In this section:

4 (1) PUBLIC ROAD.—The term “public road”
5 has the meaning given the term in section 101(a) of
6 title 23, United States Code.

7 (2) ROADSIDE INCIDENT.—The term “roadside
8 incident” means an incident involving an electric ve-
9 hicle that occurs on a public road or any area adja-
10 cent to a public road as a result of the use of the
11 electric vehicle on the public road, including—

12 (A) on the shoulder or median of a public
13 road;

14 (B) at a charging station for electric vehi-
15 cles that is open to the public; and

16 (C) on a parking deck or lot that is open
17 to the public.

18 (3) SECRETARY.—The term “Secretary” means
19 the Secretary of Transportation.

1 (4) WORKING GROUP.—The term “working
2 group” means the Electric Vehicle Fire Response
3 Working Group established under subsection (b).

4 (b) ESTABLISHMENT.—Not later than 90 days after
5 the date of enactment of this Act, the Secretary shall es-
6 tablish a working group, to be known as the “Electric Ve-
7 hicle Fire Response Working Group”.

8 (c) COMPOSITION.—The working group shall be com-
9 posed of not fewer than 22 members, including—

10 (1) at least 2 representatives of the towing in-
11 dustry, appointed by the Secretary from among indi-
12 viduals nominated by appropriate entities operating
13 in or representing the towing industry;

14 (2) at least 6 representatives of emergency re-
15 sponse personnel, appointed by the Secretary from
16 among individuals nominated by appropriate associa-
17 tions, councils, or other entities representing a vari-
18 ety of emergency response personnel who may re-
19 spond to electric vehicle fires;

20 (3) at least 6 representatives of the automotive
21 industry, appointed by the Secretary from among in-
22 dividuals nominated by appropriate entities oper-
23 ating in or representing original equipment manu-
24 facturers of electric vehicles or the component parts
25 of electric vehicles, including—

1 (A) if nominated—

2 (i) at least 1 representative of manu-
3 facturers of electric buses;

4 (ii) at least 1 representative of manu-
5 facturers of electric commercial medium-
6 or heavy-duty on-highway vehicles;

7 (iii) at least 1 representative of manu-
8 facturers of electric vehicle batteries;

9 (iv) at least 1 representative of manu-
10 facturers or installers of electric vehicle
11 supply equipment; and

12 (v) at least 1 representative of manu-
13 facturers of electric vehicles; and

14 (B) such other representatives of the elec-
15 tric vehicle manufacturing industry as the Sec-
16 retary determines to be appropriate;

17 (4) at least 4 representatives of research, stand-
18 ards-setting, or training organizations with expertise
19 relating to the risks of electric vehicle fires and elec-
20 tric vehicle fire response;

21 (5) 1 representative of the National Transpor-
22 tation Safety Board, appointed by the National
23 Transportation Safety Board;

24 (6) 1 representative of the National Highway
25 Traffic Safety Administration, appointed by the Sec-

1 retary, acting through the Administrator of the Na-
2 tional Highway Traffic Safety Administration;

3 (7) 1 representative of the Federal Highway
4 Administration, appointed by the Secretary, acting
5 through the Administrator of the Federal Highway
6 Administration;

7 (8) 1 representative of the United States Fire
8 Administration, appointed by the Administrator of
9 the United States Fire Administration; and

10 (9) such other representatives of a Federal
11 agency as the Secretary determines to be appro-
12 priate, such as representatives of—

13 (A) the Department of Transportation (in-
14 cluding any relevant agency or modal adminis-
15 tration of the Department of Transportation);

16 (B) the Department of Energy;

17 (C) the intelligence community (as defined
18 in section 3 of the National Security Act of
19 1947 (50 U.S.C. 3003)); or

20 (D) Federal law enforcement agencies.

21 (d) HEAD.—The Secretary shall select 1 member of
22 the working group to serve as head of the working group.

23 (e) COMPENSATION.—Members of the working group
24 shall serve without compensation.

25 (f) DUTIES.—The working group shall—

1 (1) continually review—

2 (A) known and developing risks relating to
3 electric vehicle fires and electric vehicle fire re-
4 sponse;

5 (B) existing best practices, standards, and
6 guidance relating to electric vehicle fire re-
7 sponse; and

8 (C) roadside incidents involving electric ve-
9 hicle fires, including any response procedures
10 utilized; and

11 (2) based on that review, periodically issue or
12 update best practices and guidance for responding to
13 electric vehicle fires.

14 (g) DATABASE.—

15 (1) IN GENERAL.—The working group shall—

16 (A) support the collection and reporting of
17 roadside incidents involving electric vehicle fires
18 for inclusion in the database established and
19 maintained pursuant to section 9 of the Federal
20 Fire Prevention and Control Act of 1974 (15
21 U.S.C. 2208) (also known as the “National
22 Emergency Response Information System” or
23 the “NERIS”); and

24 (B) coordinate with the United States Fire
25 Administration to maintain and update that

1 database, including by ensuring that the data-
2 base includes, as practicable, the information
3 described in paragraph (3) with respect to road-
4 side incidents.

5 (2) PUBLICATION.—The Administrator of the
6 United States Fire Administration shall publish the
7 information in the reports required by paragraph (1)
8 in the database described in that paragraph.

9 (3) CONTENTS.—To the maximum extent prac-
10 ticable, the reports required by paragraph (1) shall
11 include, with respect to each roadside incident re-
12 ported—

13 (A) the location of the incident;

14 (B) the time of the incident and response;

15 (C) the conditions at the scene, such as—

16 (i) the weather;

17 (ii) the presence or absence of day-
18 light;

19 (iii) the presence or absence of pas-
20 sengers, pedestrians, or other vehicles; and

21 (iv) such other conditions as the work-
22 ing group determines to be relevant;

23 (D) the practices and procedures used to
24 respond to the electric vehicle fire;

1 (E) the results of the incident and re-
2 sponse; and

3 (F) such other information relating to a
4 roadside incident as the working group deter-
5 mines to be appropriate.

6 (h) ANNUAL REPORT.—The working group shall sub-
7 mit to Congress and make publicly available an annual
8 report on the work of the working group during the pre-
9 vious year, including—

10 (1) a summary of any best practices and guid-
11 ance issued or updated; and

12 (2) a summary of any issues for which new or
13 updated best practices or guidance is being consid-
14 ered.

15 (i) FACA.—Chapter 10 of title 5, United States Code
16 (commonly referred to as the “Federal Advisory Com-
17 mittee Act”), shall not apply to the working group.

18 (j) ADMINISTRATIVE EXPENSES.—

19 (1) IN GENERAL.—The Secretary shall provide
20 administrative support for the working group in a
21 manner consistent with the provision of support
22 services under section 1011 of title 5, United States
23 Code.

1 (2) FUNDING.—The Secretary shall use existing
2 funds available to the Secretary to carry out para-
3 graph (1).

4 (k) TERMINATION.—The working group shall termi-
5 nate on the date that is 10 years after the date on which
6 the working group is established under subsection (b).

