

117TH CONGRESS
1ST SESSION

H. R. 3262

To require the Secretary of Transportation to submit a report on cybersecurity risks to motor vehicle safety, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2021

Mr. UPTON introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Transportation to submit a report on cybersecurity risks to motor vehicle safety, 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 “Guarding against Un-
5 authorized Attacks Related to Driving Act” or the
6 “GUARD Act”.

7 **SEC. 2. CYBERSECURITY RISKS TO MOTOR VEHICLE SAFE-**
8 **TY STUDY AND REPORT REQUIRED.**

9 (a) STUDY REQUIRED.—Not later than 1 year after
10 the date of the enactment of this Act, the Secretary of

1 Transportation, in coordination with any other appro-
2 priate Federal agency, shall conduct a study on the state
3 of cybersecurity regarding motor vehicles. In conducting
4 such study, the Secretary shall—

5 (1) develop a comprehensive list of Federal
6 agencies with jurisdiction over cybersecurity and a
7 brief description of such jurisdiction or expertise of
8 such agencies;

9 (2) identify all interagency activities taking
10 place among Federal agencies related to cybersecu-
11 rity regarding motor vehicles, including working
12 groups or any other relevant coordinated effort;

13 (3) develop a comprehensive list of public-pri-
14 vate partnerships focused on cybersecurity regarding
15 motor vehicles, as well as any industry-based bodies,
16 including international bodies, which have developed,
17 or are developing, mandatory or voluntary standards
18 for cybersecurity and the status of such standards;

19 (4) identify each regulation, guideline, manda-
20 tory standard, voluntary standard, and other policy
21 implemented by each Federal agency identified
22 under this subsection and each guideline, mandatory
23 standard, voluntary standard, and other policy im-
24 plemented by industry-based and recognized inter-
25 national bodies;

1 (5) review the technology, measures, guidelines,
2 or practices used across the motor vehicle industry
3 as of the date of the enactment of this Act to iden-
4 tify, protect, detect, respond to, or recover from
5 cyber security incidents affecting the safety of a
6 motor vehicle, focusing on the most advanced vehicle
7 security solutions such as AI-driven vehicle security
8 software;

9 (6) identify existing cybersecurity resources to
10 assist individuals in maintaining awareness of cyber-
11 security risks associated with motor vehicle safety
12 and mechanisms for alerting a human driver or op-
13 erator regarding cybersecurity vulnerabilities;

14 (7) identify means to protect vehicle occupants
15 from cybersecurity incidents affecting safety that
16 may arise while the motor vehicle is operating; and

17 (8) identify pervasive industry vehicle software
18 security solutions, such as, embedded in at least 150
19 million vehicles and 50 percent of the electric vehicle
20 marketplace at the time of enactment.

21 (b) REPORT REQUIRED.—Not later than 6 months
22 after completion of the study required pursuant to sub-
23 section (a), the Secretary shall submit to the Committee
24 on Energy and Commerce of the House of Representatives

1 and the Committee on Commerce, Science, and Transpor-
2 tation of the Senate a report that contains—

- 3 (1) the results of the study;
- 4 (2) recommendations to enable the exchange of
5 information and lessons learned across the industry,
6 and across relevant Federal agencies, regarding cy-
7 bersecurity incidents, threats, and potential
8 vulnerabilities in a timely manner; and
- 9 (3) recommendations for other measures
10 deemed reasonable, appropriate, and practicable with
11 respect to cybersecurity related to motor vehicle
12 safety.

13 (c) MOTOR VEHICLE DEFINED.—The term “motor
14 vehicle” has the meaning given that term in section 30102
15 of title 49, United States Code.

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