

118TH CONGRESS  
2D SESSION

# H. R. 8349

To establish the position of National Roadway Safety Advocate within the Department of Transportation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2024

Mr. COHEN introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish the position of National Roadway Safety Advocate within the Department of Transportation, 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 “DOT Victim and Sur-  
5 vivor Advocate Act”.

6 **SEC. 2. POSITION OF NATIONAL ROADWAY SAFETY ADVO-**  
7 **CATE.**

8 (a) DEFINITIONS.—In this section:

9 (1) DEPARTMENT.—The term “Department”  
10 means the Department of Transportation.

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

3           (3) STAKEHOLDER.—

4           (A) IN GENERAL.—The term “stake-  
5     holder” means—

6           (i) a victim or survivor of a road  
7     crash; and

8           (ii) a family member of a victim or  
9     survivor of a road crash.

10          (B) FAMILY MEMBER.—For purposes of  
11     subparagraph (A)(ii), the term “family mem-  
12     ber” shall not be limited to a parent, parent-in-  
13     law, grandparent, grandparent-in-law, sibling,  
14     spouse, child, or step-child of a victim or sur-  
15     vivor of a road crash.

16         (b) ESTABLISHMENT.—

17           (1) IN GENERAL.—Not later than 180 days  
18     after the date of enactment of this Act, the Sec-  
19     retary shall establish within the Office of the Under  
20     Secretary of Transportation for Policy of the De-  
21     partment a position, to be known as the “National  
22     Roadway Safety Advocate”.

23           (2) CAREER POSITION.—The position of Na-  
24     tional Roadway Safety Advocate shall be filled by a  
25     career appointment.

1 (c) PURPOSES OF THE POSITION.—The purposes of  
2 the position of the National Roadway Safety Advocate  
3 are—

4 (1) to document and communicate recommenda-  
5 tions from stakeholders to the Secretary on needs,  
6 objectives, plans, approaches, content, and accom-  
7 plishments of the programs and activities carried out  
8 by the Department relating to roadway safety; and

9 (2) to serve as a resource and point of contact  
10 for stakeholders on relevant roadway safety issues.

11 (d) AUTHORITY AND LIMITATIONS.—

12 (1) AUTHORITY.—The National Roadway Safe-  
13 ty Advocate may—

14 (A) provide—

15 (i) education on Department activities  
16 to stakeholders; and

17 (ii) means for stakeholders to provide  
18 the perspective of the stakeholders on  
19 roadway safety issues to the Department;

20 (B) explain Department processes, proce-  
21 dures, scientific principles, and technical infor-  
22 mation to victims of roadway safety incidents  
23 and advocates in plain language;

24 (C) communicate the perspective of stake-  
25 holders within Department processes;

1 (D) provide aggregated feedback on the  
2 regulatory agenda and activities of the Depart-  
3 ment from stakeholders to the Secretary;

4 (E) build relationships with individual  
5 stakeholders, through establishing consistent  
6 outreach and dialogue for feedback, to enhance  
7 the engagement in the mission of the Depart-  
8 ment;

9 (F) publish educational materials for en-  
10 hancing stakeholder understanding of activities  
11 and procedures of the Department in accessible  
12 formats and venues, with clear and easy to un-  
13 derstand wording, consistent with Department  
14 policy, in multiple languages;

15 (G) consult with and make recommenda-  
16 tions to the Secretary relating to the appoint-  
17 ment of stakeholders who may be appropriate  
18 for roles in advisory roadway safety committees,  
19 in accordance with chapter 10 of title 5, United  
20 States Code;

21 (H) meet not less frequently than once per  
22 quarter with the Secretary to highlight issues,  
23 make recommendations for resolving problems  
24 and alleviating stakeholder roadway safety con-

cerns, and summarize input from stakeholders on proposed roadway safety initiatives;

(I) refer questions to the Office of the General Counsel or the Office of the Under Secretary of Transportation for Policy, as appropriate;

(J) work collaboratively with other offices in the Department that are working to educate and communicate with stakeholders on roadway safety issues; and

(K) perform such other duties as may be determined by the Secretary.

(2) LIMITATIONS.—The National Roadway Safety Advocate may not—

(A) provide legal notice, counsel, or determinations of any kind;

(B) set or delay any agency deadlines;

(C) make Department decisions;

(D) create or authorize Department policies, priorities, or activities;

(E) modify or interfere with any laws, regulations, related policies, practices, or procedures followed or enforced by the Department;

(F) prevent other Department staff from working directly with stakeholders;

1 (G) disclose or discuss any enforcement  
2 matters that are under investigation, in litigation,  
3 tion, or the subject of a civil penalty investigation  
4 or any other pre-litigation or litigation proceeding; or  
5

6 (H) disclose or discuss any human resource  
7 matters with individuals outside of the  
8 Department.

9 (e) REPORT TO OFFICE OF THE UNDER SECRETARY  
10 OF TRANSPORTATION FOR POLICY.—The National Roadway  
11 Safety Advocate shall report within the Office of the  
12 Under Secretary of Transportation for Policy of the Department.  
13

14 (f) SUPPORT.—The Office of the Under Secretary of  
15 Transportation for Policy of the Department shall provide  
16 necessary funding, logistics, and administrative support to  
17 the National Roadway Safety Advocate as necessary.

18 (g) ACCESS TO DOCUMENTS.—The Department shall  
19 ensure that the National Roadway Safety Advocate has  
20 full and timely access to the documents of the Department,  
21 as necessary, to carry out the functions of the National  
22 Roadway Safety Advocate.

23 (h) REPORTS REQUIRED.—

24 (1) ANNUAL REPORT.—Not later than November  
25 ber 15 of each year, the National Roadway Safety

1 Advocate shall submit to the Secretary an annual re-  
2 port—

3 (A) highlighting systemic issues relating to  
4 roadway safety based on information provided  
5 by stakeholders; and

6 (B) making recommendations on how to  
7 remedy the issues highlighted under subpara-  
8 graph (A).

9 (2) ADDITIONAL REPORTS.—In addition to the  
10 annual report required under paragraph (1), the Na-  
11 tional Roadway Safety Advocate may submit to the  
12 Secretary such additional reports, as determined  
13 necessary by the National Roadway Safety Advocate,  
14 in accordance with the requirements of that para-  
15 graph.

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