



General Assembly

January Session, 2007

Committee Bill No. 974

LCO No. 5235

05235SB00974JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT LIMITING LAW ENFORCEMENT ACCESS TO RECORDED INFORMATION IN "BLACK BOX" EVENT DATA RECORDERS IN MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this
2 section: (1) "Event data recorder" means a device installed in a
3 passenger motor vehicle, as defined in section 14-1 of the general
4 statutes, that (A) records (i) the speed at which the motor vehicle is
5 traveling, (ii) the direction in which the motor vehicle is traveling, (iii)
6 steering performance data, (iv) brake performance data, including, but
7 not limited to, whether the brakes were applied before an accident, (v)
8 the usage of the operator's seat belt, (vi) engine speed, or (vii) throttle
9 position, or (B) is capable of transmitting data concerning an accident
10 in which the motor vehicle is involved to a central communications
11 system; and (2) "lessee" means an individual who leases a passenger
12 motor vehicle pursuant to a written lease for such individual's
13 personal use for a period greater than three months.

14 (b) (1) Except as provided in subsection (c) of this section, no person,
15 except the registered owner of the motor vehicle that contains the

16 event data recorder, or the person's representative, may retrieve,
17 obtain or use data stored on or transmitted from the event data
18 recorder unless:

19 (A) The individual who is the registered owner or lessee of the
20 motor vehicle at the time the data is recorded, or the person's
21 representative, consents in writing;

22 (B) The data is retrieved or obtained by a peace officer, as defined in
23 section 53a-3 of the general statutes, pursuant to a search warrant
24 issued by a judge of the Superior Court or a judge trial referee under
25 the provisions of section 54-33a of the general statutes, or by any court
26 of competent jurisdiction;

27 (C) The data is used for the purpose of improving motor vehicle
28 safety, security or traffic management, including the purpose of
29 medical research on physical reaction to motor vehicle accidents,
30 provided the identity of the registered owner, operator or other
31 occupant of the motor vehicle is not disclosed with respect to the data,
32 except that the disclosure of a vehicle identification number with the
33 last four numbers deleted for such purposes shall not constitute
34 disclosure of the identity of the registered owner; or

35 (D) The data is retrieved or obtained by a licensed new car dealer, as
36 defined in section 14-51 of the general statutes, a repairer, as defined in
37 section 14-51 of the general statutes, or the manufacturer, as defined in
38 section 14-1 of the general statutes, that manufactured the motor
39 vehicle, and used for the purpose of diagnosing, servicing or repairing
40 the motor vehicle.

41 (2) Any person who retrieves or obtains such data, except a peace
42 officer who retrieves or obtains such data pursuant to subparagraph
43 (B) of subdivision (1) of this subsection, shall not further disclose such
44 data, except that such person may further disclose such data as
45 provided in subparagraph (C) or (D) of subdivision (1) of this
46 subsection if the identity of the owner, operator or other occupant is

47 not disclosed.

48 (c) Data from an event data recorder may be retrieved, obtained and
49 used by a subscription service provider pursuant to a subscription
50 agreement if the subscription agreement discloses that the data may be
51 stored and transmitted, provided such data may not be further
52 disclosed except as provided in subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

Statement of Purpose:

To limit disclosure of certain "event data recorder" information from passenger motor vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. HARP, 10th Dist.; SEN. LOONEY, 11th Dist.
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SEN. HANDLEY, 4th Dist.; REP. CANDELARIA, 95th Dist.
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