



General Assembly

January Session, 2007

Amendment

LCO No. 7059

SB0097407059SD0

Offered by:

SEN. HARP, 10th Dist.
SEN. MCDONALD, 27th Dist.
SEN. LOONEY, 11th Dist.
SEN. PRAGUE, 19th Dist.
SEN. STILLMAN, 20th Dist.

REP. CANDELARIA, 95th Dist.
REP. STAPLES, 96th Dist.
REP. DILLON, 92nd Dist.
REP. DARGAN, 115th Dist.

To: Senate Bill No. 974

File No. 511

Cal. No. 409

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this
4 section: (1) "Event data recorder" means a device installed in a
5 passenger motor vehicle, as defined in section 14-1 of the general
6 statutes, that (A) records (i) transaxle speed, (ii) the direction in which
7 the motor vehicle is traveling, (iii) steering performance data, (iv)
8 brake performance data, including, but not limited to, whether the
9 brakes were applied before an accident, (v) the usage of the operator's
10 seat belt, (vi) engine speed, or (vii) throttle position, or (B) is capable of
11 transmitting data concerning an accident in which the motor vehicle is

12 involved to a central communications system; and (2) "lessee" means
13 an individual who leases a passenger motor vehicle pursuant to a
14 written lease for such individual's personal use for a period greater
15 than three months.

16 (b) (1) Except as provided in subsection (c) of this section, no person,
17 except the registered owner of the motor vehicle that contains the
18 event data recorder, or the registered owner's representative, may
19 retrieve, obtain or use data stored on or transmitted from the event
20 data recorder unless:

21 (A) The individual who is the registered owner or lessee of the
22 motor vehicle at the time the data is retrieved, obtained or used, or the
23 individual's representative, consents in writing;

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

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

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

44 (E) The data is retrieved or obtained pursuant to a legally proper
45 discovery request or order in a civil action.

46 (2) Any person who retrieves or obtains such data, except a peace
47 officer who retrieves or obtains such data pursuant to subparagraph
48 (B) of subdivision (1) of this subsection, shall not further disclose such
49 data, except that such person may further disclose such data as
50 provided in subparagraph (C) or (D) of subdivision (1) of this
51 subsection if the identity of the registered owner, lessee, operator or
52 other occupant is not disclosed.

53 (c) Data from an event data recorder may be retrieved, obtained and
54 used by a subscription service provider pursuant to a subscription
55 agreement if the subscription agreement discloses that the data may be
56 stored and transmitted, provided such data may not be further
57 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	<i>October 1, 2007</i>	New section