

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	3 - 0 - 2
Yeas:	Beyer, Prozanski, Burdick
Nays:	0
Exc.:	Kruse, Walker
Prepared By:	Matt Kalmanson, Counsel
Meeting Dates:	5/29, 5/30

WHAT THE MEASURE DOES: Establishes that the data on a motor vehicle event data recorder is the exclusive property of the owner of the motor vehicle and may not be retrieved or used by any person without the owner's written consent. Prohibits insurers from requiring owners to disclose data as a condition of settlement of a claim or providing insurance. Allows a court to require disclosure of data: (1) based on probable cause that a crime has occurred; (2) in the course of an investigation involving physical injury or the risk of physical injury; or (3) when necessary for insurer to reconstruct facts of accident. Permits retrieval without consent of owner for medical purposes or to repair a motor vehicle.

ISSUES DISCUSSED:

- Motor vehicle event data recorders
- Ownership of data
- Insurance companies' voluntary programs involving different types of devices
- Federal law of data recorders

EFFECT OF COMMITTEE AMENDMENT: Deletes provision permitting insurer to offer reduced premiums based on agreement allowing it to retrieve or use data on a motor vehicle event data recorder.

BACKGROUND: An "event data recorder" is a device installed in motor vehicles that records information related to accidents (similar to a "black box" in airplanes). The devices continuously record and erase small amounts of data, and can be useful for reconstructing events that led to an accident. These devices already are installed in many vehicles. Federal rules will require manufacturers to disclose the existence of such devices starting September 1, 2010. HB 2568 B would provide that the information recorded by such devices is the sole property of the vehicle owner, which cannot be disclosed without the owner's consent, except in certain instances described in the bill.