

HOUSE No. 3672

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to event data recorders in autonomous vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>

<i>David Allen Robertson</i>	<i>19th Middlesex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>

HOUSE No. 3672

By Mr. Whelan of Brewster, a petition (accompanied by bill, House, No. 3672) of Timothy R. Whelan and others relative to event data recorders in autonomous vehicles. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to event data recorders in autonomous vehicles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90 of the General Laws is hereby amended by adding the following section:-

2 Section 63. (a) As used in this section, the following words shall, unless the context
3 clearly requires otherwise, have the following meanings:-

4 “Autonomous vehicle”, a motor vehicle equipped with technology that allows the motor
5 vehicle to perform 1 or more driving functions through vehicle automation, without the direct
6 control of the driver.

7 “Event data recorder”, means a device or function in a motor vehicle that records the
8 vehicle’s dynamic, time-series data during the time period just prior to a crash event, including,
9 but not limited to, indication whether the vehicle was in autonomous mode or not, speed, throttle
10 position, brake usage, vehicle speed versus time data, or during a crash event, including, but not
11 limited to, delta-V versus time data, intended for retrieval after the crash event. “Event data”
12 does not include audio or video data.

13 (b) After a crash event involving an autonomous vehicle that is being operated or tested
14 on a public way, no person shall knowingly destroy, corrupt, alter or delete data on the
15 autonomous vehicle's event data recorder, or knowingly destroy or impair the autonomous
16 vehicle's event data recorder, until a sufficient amount of time has passed to allow law
17 enforcement a reasonable opportunity to obtain a search warrant for the purpose of obtaining
18 evidence relating to the crash event.

19 (c) A violation of this section shall be punishable by a fine of not more than \$50,000, or
20 by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction
21 for not more than 2 ½ years, or both such fine and imprisonment.