

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 762

97TH GENERAL ASSEMBLY

Reported from the Committee on Transportation and Infrastructure, April 1, 2014, with recommendation that the Senate Committee Substitute do pass.

5559S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 542, RSMo, by adding thereto one new section relating to the release of data collected by automobile event data recorders.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 542, RSMo, is amended by adding thereto one new section, to be known as section 542.460, to read as follows:

542.460. 1. For purposes of this section the term "event data recorder" shall mean a device or feature installed by the manufacturer of a motor vehicle, motorcycle, or motortricycle to record one or more of the following for a brief period of time before, during, and after an event such as a vehicle crash or collision and which has the ability to transmit such information to a central communications system:

(1) Vehicle speed or direction;

(2) Vehicle location;

(3) Vehicle steering performance;

(4) Brake performance including but not limited to whether brakes were applied before a crash or collision; and

(5) The driver's seatbelt status.

2. Data that is recorded on an event data recorder shall not be downloaded or otherwise retrieved by any person other than the owner of the motor vehicle at the time the data is accessed, except under one of the following circumstances:

(1) The owner of the motor vehicle or the owner's agent or legal representative consents to the retrieval of the information in writing;

(2) In response to a valid search warrant or an order of a court or other judicial or administrative authority having jurisdiction to

21 issue the order, or to comply with a subpoena in accordance with the
22 rules of civil procedure;

23 (3) For the purpose of improving motor vehicle safety, security,
24 or traffic management including for medical research of the human
25 body's reaction to motor vehicle crashes, provided that the identity of
26 the owner or driver is not disclosed in connection with the retrieved
27 data;

28 (4) The data is retrieved by a licensed new motor vehicle dealer
29 or an automotive technician for the purpose of diagnosing, servicing,
30 or repairing the motor vehicle; or

31 (5) The data is retrieved for the purpose of determining the need
32 for or facilitating emergency medical response in the event of a motor
33 vehicle crash or collision.

34 3. The provisions of this section shall not apply to "commercial
35 motor vehicles" as that term is defined in section 301.010.

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Bill

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