

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 717
Version: First engrossment

DATE: March 13, 2015

Authors: Johnson, B. and others

Subject: Event data recorders

Analyst: Matt Gehring, 651-296-5052

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This bill regulates data collection from event data recorders. An event data recorder is a device or feature installed in a vehicle that records data concerning the use or performance of a vehicle, and is often used to assist in the investigation of a vehicle crash.

Section

1 Event data recorders.

Subd. 1. Definitions. Defines a number of terms used in the bill, including “event data,” “event data recorder,” “owner,” and “owner’s agent.”

Subd. 2. Event data recorders. Paragraph (a) provides that data contained on an event data recorder is the personal data of the vehicle’s owner and may not be downloaded or retrieved by anyone other than the owner. A list of seven exceptions to this general principle are provided in the bill.

Paragraph (b) prohibits further release of data from an event data recorder, by a person otherwise authorized to download or retrieve it, unless one of six listed conditions exists.

Paragraph (c) requires prominent disclosures in a subscription service agreement, if an event data recorder is capable of recording or transmitting event data as part of a subscription service.

Section

Paragraph (d) permits data to be collected from an event data recorder without a warrant or consent of the owner if, following a crash resulting in a serious injury or fatality, data could be lost during a vehicle recovery. This authorization only applies to data necessary to conduct and analyze a crash reconstruction.

Subd. 3. Prohibition on destruction of data. Prohibits knowing destruction of event data recorder data following a crash that resulted in death or serious physical injury, unless a reasonable amount of time has passed for a peace officer to obtain a search warrant for the data.

Subd. 4. Penalty. Provides that a violation of this section is a misdemeanor.

Effective date. The bill is effective August 1, 2015, and applies to motor vehicles sold or leased before, on or after that date.