
By: **Senators Jacobs, Colburn, Hafer, and Mooney**
Introduced and read first time: January 30, 2004
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Recording Devices - Limitations on Release of Information**

3 FOR the purpose of prohibiting certain data from a vehicle's recording device from
4 being disclosed to a person other than the registered owner of the vehicle except
5 with the consent of the registered owner, on court order, for the purpose of
6 improving motor vehicle safety if certain information is not disclosed, or for the
7 purpose of diagnosing, servicing, or repairing the vehicle; prohibiting a certain
8 person who retrieves data from a recording device in accordance with this Act
9 from disclosing the data except under certain circumstances; defining a certain
10 term; and generally relating to motor vehicle recording devices.

11 BY adding to
12 Article - Transportation
13 Section 22-419
14 Annotated Code of Maryland
15 (2002 Replacement Volume and 2003 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Transportation**

19 22-419.

20 (A) IN THIS SECTION, "RECORDING DEVICE" MEANS A DEVICE COMMONLY
21 REFERRED TO AS AN "EVENT DATA RECORDER" OR A "SENSING AND DIAGNOSTIC
22 MODULE" THAT:

23 (1) IS INSTALLED IN A MOTOR VEHICLE BY THE MANUFACTURER OF
24 THE VEHICLE FOR THE PURPOSE OF RETRIEVING DATA AFTER AN ACCIDENT; AND

25 (2) DOES AT LEAST ONE OF THE FOLLOWING:

26 (I) RECORDS HOW FAST AND IN WHICH DIRECTION THE MOTOR
27 VEHICLE IS TRAVELING;

1 (II) RECORDS A HISTORY OF WHERE THE MOTOR VEHICLE
2 TRAVELS;

3 (III) RECORDS STEERING PERFORMANCE;

4 (IV) RECORDS BRAKE PERFORMANCE, INCLUDING WHETHER
5 BRAKES WERE APPLIED BEFORE AN ACCIDENT;

6 (V) RECORDS THE DRIVER'S SEAT BELT STATUS; OR

7 (VI) HAS THE ABILITY TO TRANSMIT INFORMATION CONCERNING
8 AN ACCIDENT IN WHICH THE MOTOR VEHICLE IS INVOLVED TO A CENTRAL
9 COMMUNICATIONS SYSTEM.

10 (B) DATA STORED ON A VEHICLE'S RECORDING DEVICE MAY ONLY BE
11 DISCLOSED TO A PERSON OTHER THAN THE REGISTERED OWNER OF THE VEHICLE:

12 (1) WITH THE CONSENT OF THE REGISTERED OWNER OF THE VEHICLE;

13 (2) ON COURT ORDER;

14 (3) FOR THE PURPOSE OF IMPROVING MOTOR VEHICLE SAFETY
15 PROVIDED THAT THE IDENTITY OF THE REGISTERED OWNER OR DRIVER OF THE
16 VEHICLE IS NOT DISCLOSED IN CONNECTION WITH THE RECORDED DATA; OR

17 (4) FOR THE PURPOSE OF DIAGNOSING, SERVICING, OR REPAIRING THE
18 MOTOR VEHICLE.

19 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
20 PERSON WHO RETRIEVES DATA DISCLOSED IN ACCORDANCE WITH SUBSECTION (B)
21 OF THIS SECTION MAY NOT SUBSEQUENTLY RELEASE THE DATA TO ANOTHER.

22 (2) A PERSON DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION MAY
23 RELEASE DATA RETRIEVED FROM A VEHICLE'S RECORDING DEVICE, OTHER THAN
24 DATA THAT COULD DISCLOSE THE IDENTITY OF THE VEHICLE'S REGISTERED OWNER
25 OR DRIVER, FOR THE PURPOSE OF CONDUCTING RESEARCH INTO MOTOR VEHICLE
26 SAFETY, INCLUDING MEDICAL RESEARCH INTO HOW THE HUMAN BODY RESPONDS
27 WHEN INVOLVED IN A MOTOR VEHICLE ACCIDENT.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2004.