
By: **Senators Jacobs, Forehand, Garagiola, and Mooney**

Introduced and read first time: January 23, 2006

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 under certain circumstances; prohibiting a certain person who retrieves data
6 from a recording device in accordance with this Act from disclosing the data,
7 subject to certain exceptions; providing that disclosure of certain digits in a
8 vehicle identification number (VIN) is not a disclosure of the identity of a certain
9 person; requiring the manufacturer of certain motor vehicles to disclose in the
10 owner's manual certain information; making this Act applicable to vehicles
11 manufactured on or after a certain date; defining a certain term; and generally
12 relating to motor vehicle recording devices.

13 BY adding to

14 Article - Transportation

15 Section 22-419

16 Annotated Code of Maryland

17 (2002 Replacement Volume and 2005 Supplement)

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

20 **Article - Transportation**

21 22-419.

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

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

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

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

3 (II) RECORDS A HISTORY OF WHERE THE MOTOR VEHICLE
4 TRAVELS;

5 (III) RECORDS STEERING PERFORMANCE;

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

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

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

12 (B) THIS SECTION APPLIES ONLY TO MOTOR VEHICLES MANUFACTURED ON
13 OR AFTER OCTOBER 1, 2007.

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

16 (1) WITH THE CONSENT OF THE REGISTERED OWNER OF THE VEHICLE
17 OR THE REGISTERED OWNER'S AGENT OR LEGAL REPRESENTATIVE AT THE TIME
18 THE DATA IS ACCESSED;

19 (2) ON COURT ORDER;

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

23 (4) FOR THE PURPOSE OF DIAGNOSING, SERVICING, OR REPAIRING THE
24 MOTOR VEHICLE;

25 (5) IF:

26 (I) THE DATA STORED ON THE VEHICLE'S RECORDING DEVICE IS
27 TRANSMITTED TO A BUSINESS IN ACCORDANCE WITH A SERVICE AGREEMENT; AND

28 (II) THE FACT THAT RECORDED INFORMATION MAY BE
29 TRANSMITTED IS DISCLOSED IN THE SERVICE AGREEMENT; OR

30 (6) FOR THE PURPOSE OF DETERMINING THE NEED FOR OR
31 FACILITATING EMERGENCY MEDICAL RESPONSE IN THE EVENT OF A MOTOR
32 VEHICLE ACCIDENT.

33 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
34 PERSON WHO RETRIEVES DATA DISCLOSED IN ACCORDANCE WITH SUBSECTION (C)
35 OF THIS SECTION MAY NOT SUBSEQUENTLY RELEASE THE DATA TO ANOTHER.

1 (2) (I) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A
2 PERSON WHO RETRIEVES DATA DISCLOSED IN ACCORDANCE WITH SUBSECTION
3 (C)(5) OF THIS SECTION.

4 (II) A PERSON DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION
5 MAY RELEASE DATA RETRIEVED FROM A VEHICLE'S RECORDING DEVICE, OTHER
6 THAN DATA THAT COULD DISCLOSE THE IDENTITY OF THE VEHICLE'S REGISTERED
7 OWNER OR DRIVER, FOR THE PURPOSE OF CONDUCTING RESEARCH INTO MOTOR
8 VEHICLE SAFETY, INCLUDING MEDICAL RESEARCH INTO HOW THE HUMAN BODY
9 RESPONDS WHEN INVOLVED IN A MOTOR VEHICLE ACCIDENT.

10 (III) A DISCLOSURE OF A VEHICLE IDENTIFICATION NUMBER (VIN)
11 WITH THE LAST 4 DIGITS DELETED DOES NOT CONSTITUTE A DISCLOSURE OF THE
12 IDENTITY OF THE VEHICLE'S REGISTERED OWNER OR DRIVER.

13 (E) A MANUFACTURER OF A NEW MOTOR VEHICLE SOLD OR LEASED IN THE
14 STATE THAT IS EQUIPPED WITH A RECORDING DEVICE SHALL DISCLOSE IN THE
15 OWNER'S MANUAL FOR THE VEHICLE THE FACT THAT THE VEHICLE IS SO EQUIPPED.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2006.