To limit the retrieval of data from vehicle event data recorders.

A BILL

To limit the retrieval of data from vehicle event data recorders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Driver Privacy Act”.

SEC. 2. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) OWNERSHIP OF DATA.—Any data in an event data recorder required under part 563 of title 49, Code of Federal Regulations, regardless of when the passenger
motor vehicle in which it is installed was manufactured,
is the property of the owner, or, in the case of a leased
vehicle, the lessee of the passenger motor vehicle in which
the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an
event data recorder described in subsection (a) may not
be accessed by a person other than the owner or lessee
of the motor vehicle in which the event data recorder is
installed unless—

(1) a court or other judicial or administrative
authority having jurisdiction—

(A) authorizes the retrieval of the data;
and

(B) to the extent that there is retrieved
data, the data is subject to the standards for
admission into evidence required by that court
or other administrative authority;

(2) all of the owners or lessees of the motor ve-
hicle provide informed written consent to the re-
trieval of the data for any purpose, including the
purpose of diagnosing, servicing, or repairing the
motor vehicle;

(3) the data is retrieved pursuant to an inves-
tigation or inspection authorized under section
1131(a) or 30166 of title 49, United States Code,
and the personally identifiable information of the
owner or lessee of the vehicle and the vehicle identi-
fication number is not disclosed in connection with
the retrieved data;

(4) the data is retrieved for the purpose of de-
termining the need for, or facilitating, emergency
medical response in response to a motor vehicle

crash; or

(5) the data is retrieved for traffic safety re-
search, and the personally identifiable information of
the owner or lessee of the vehicle and the vehicle
identification number is not disclosed in connection
with the retrieved data.

(e) LIMITATION ON DATA RETRIEVAL.—Data from
an event data recorder may only be accessed pursuant to
subsection (b) to the extent that such data was recorded
in conjunction with an event (as defined in section 563.5

SEC. 3. VEHICLE EVENT DATA RECORDER STUDY.

(a) IN GENERAL.—Not later than 1 year after the
date of the enactment of this Act, the Administrator of
the National Highway Traffic Safety Administration shall
submit a report to Congress that contains the results of
a study conducted by the Administrator to determine the
amount of time event data recorders installed in passenger
motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 1 year after submitting the report required under subsection (a), the Administrator shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.