

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Bill No. 1388, Page 2, Section 542.375, Line 30, by inserting after all of said  
2 section and line the following:

3  
4 "542.460. 1. For purposes of this section the term "event data recorder" shall mean a device  
5 or function in a motor vehicle, installed by the manufacturer of the motor vehicle, that records the  
6 motor vehicle's dynamic time-series data during the time period just prior to a crash event or during  
7 a crash event, intended for retrieval after the crash event. For purposes of this definition, the event  
8 data do not include audio and video data.

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

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

14 (2) In response to a valid search warrant or an order of a court or other judicial or  
15 administrative authority having jurisdiction to issue the order, or to comply with a subpoena in  
16 accordance with the rules of civil procedure;

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

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

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

24 3. The provisions of this section shall not apply to "commercial vehicles" as that term is  
25 defined in section 301.010."; and

26  
27 Further amend said bill by amending the title, enacting clause, and intersectional references  
28 accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_