

111TH CONGRESS
2^D SESSION

H. R. 5169

To amend title 49, United States Code, to require the Secretary of Transportation to promulgate rules to require that all motor vehicles be equipped with event data recorders by 2015, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2010

Mr. GENE GREEN of Texas introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title 49, United States Code, to require the Secretary of Transportation to promulgate rules to require that all motor vehicles be equipped with event data recorders by 2015, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Event Data Recorder
5 Enhancement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Event data recorders have the potential to
2 greatly improve motor vehicle safety by improving
3 occupant protection systems and improving the accu-
4 racy of crash reconstructions.

5 (2) Event data recorder technology has poten-
6 tial safety applications for all classes of motor vehi-
7 cles.

8 (3) A wide range of crash-related and other
9 data elements have been identified which can use-
10 fully be captured by event data recorders.

11 (4) The National Highway Traffic Safety Ad-
12 ministration has incorporated event data recorder
13 data collection in its motor vehicle research data-
14 bases.

15 (5) Open access to event data recorder data will
16 benefit researchers, crash investigators, and manu-
17 facturers in improving motor vehicle safety.

18 (6) Studies of event data recorder information
19 in Europe and the United States have shown that
20 driver and employee awareness of an on-board event
21 data recorder reduces the number and severity of
22 crashes.

23 (7) Given the differing nature of cars, vans,
24 SUVs, and other lightweight vehicles, compared to
25 heavy trucks, school buses, and motor coaches, dif-

1 ferent event data recorder data systems may be re-
2 quired to meet the needs of each vehicle class.

3 (8) The degree of benefit from an event data
4 recorder is directly related to the number of vehicles
5 operating with an event data recorder and the cur-
6 rent infrastructure’s ability to use and assimilate the
7 data.

8 (9) Automatic crash notification systems inte-
9 grate the on-board crash sensing and event data re-
10 corder technology with other electronic systems, such
11 as global positioning systems and cellular telephones,
12 to provide early notification of the occurrence, na-
13 ture, and location of a serious collision.

14 **SEC. 3. EVENT DATA RECORDERS.**

15 (a) IN GENERAL.—Subchapter II of chapter 301 of
16 title 49, United States Code, is amended by adding at the
17 end the following new section:

18 **“§ 30129. Event data recorders**

19 “(a) REQUIRED EVENT DATA RECORDERS.—Not
20 later than 6 months after the date of the enactment of
21 this section, the Secretary shall modify the motor vehicle
22 safety standard contained in part 563 of title 49, Code
23 of Federal Regulations, to require that passenger auto-
24 mobiles (as defined in section 32901(a)(16)) be equipped
25 with an event data recorder that meets the requirements

1 for event data recorders set forth in such part. The Sec-
2 retary shall require manufacturers to include such event
3 data recorders in—

4 “(1) not less than 25 percent of their fleet be-
5 ginning in model year 2013;

6 “(2) not less than 65 percent of their fleet be-
7 ginning in model year 2014; and

8 “(3) 100 percent of their fleet beginning in
9 model year 2015.

10 “(b) COMPATIBLE DATA RETRIEVAL TOOLS.—Not
11 later than 12 months after the date of enactment of this
12 section, the Secretary shall modify the requirements in
13 section 563.12 of title 49, Code of Federal Regulations,
14 to require a standardized port for accessing and retrieving
15 data stored in any event data recorder and that is compat-
16 ible with all such event data recorders regardless of the
17 manufacturer or model of the motor vehicle.

18 “(c) DISCLOSURE.—The owner’s manual of each new
19 motor vehicle sold or leased in the United States that is
20 equipped with a recording device shall clearly indicate the
21 presence of the event data recorder required under this
22 section, in accordance with section 563.11 of title 49, Code
23 of Federal Regulations (or any successor regulation).

24 “(d) PRIVACY PROTECTIONS.—Information recorded
25 or transmitted by event data recorder required under this

1 section may not be retrieved by a person other than the
2 owner of the motor vehicle in which the recording device
3 is installed unless—

4 “(1) a court authorizes retrieval of such infor-
5 mation in furtherance of a legal proceeding;

6 “(2) the owner consents to such retrieval for
7 any purpose, including diagnosing, servicing, or re-
8 pairing the motor vehicle; or

9 “(3)(A) the information is retrieved by a gov-
10 ernment motor vehicle safety agency for the purpose
11 of improving motor vehicle safety; and

12 “(B) the personally identifiable information of
13 the owner or driver of the vehicle or the vehicle iden-
14 tification number is not disclosed in connection with
15 the retrieved information.

16 “(e) NON-APPLICATION TO TRAILERS.—The require-
17 ments promulgated under this section shall apply to all
18 motor vehicles except trailers, as such term is defined in
19 section 571.3 of title 49, Code of Federal Regulations.

20 “(f) DEFINITION OF MODEL YEAR.—For purposes of
21 this section, the term ‘model year’ means the manufactur-
22 er’s annual production period that begins on September
23 1 of a given year which includes January 1 of the calendar
24 year for which it is named. If the manufacturer has no

1 annual production period, the term ‘model year’ for that
2 manufacturer means the calendar year.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is amended by inserting
5 after the item relating to section 30128 the following new
6 item:

30129. Event data recorders.

○