

57 **41-1a-1502. Definitions.**58 As used in this part:59 (1) (a) "Event data" means records of one or more of the following categories of
60 information regarding a motor vehicle that are captured by an event data recorder:61 (i) whether the vehicle's air bag deployed;62 (ii) vehicle speed;63 ~~§→ [(iii) vehicle direction;~~64 ~~— (iv) vehicle location;~~65 ~~— (v) [(iii) ←§ vehicle steering performance;~~66 ~~§→ [(vi)] (iv) ←§ vehicle brake performance or use; or~~67 ~~§→ [(vii)] (v) ←§ vehicle seatbelt status or use.~~68 (b) "Event data" does not include audio and video data.69 (2) "Event data recorder" §→ [means a device or function in a vehicle that records the
70 vehicle's dynamic, time-series data during the time period just prior to a crash event, including
71 vehicle speed versus time, or during a crash event, including delta-V versus time, intended for
72 retrieval after the crash event.] has the same meaning as defined in 49 C.F.R. Sec. 563.5 §→ as in
73a effect on May 14, 2013 ←§ . ←§73 (3) (a) "Owner" means:74 (i) a person having all the incidents of ownership of a motor vehicle, including legal
75 title to the motor vehicle;76 (ii) a person entitled to possession of a motor vehicle as the purchaser under a security
77 agreement; or78 (iii) a person entitled to possession of a motor vehicle as a lessee under a written lease
79 agreement if the lease agreement is intended to last for more than three months at its inception.80 (b) "Owner" does not include a lienholder unless the lienholder gains possession of the
81 motor vehicle because the person entitled to possession of a motor vehicle as the purchaser
82 under a security agreement defaults on the loan.83 Section 3. Section **41-1a-1503** is enacted to read:84 **41-1a-1503. Event data recorders -- Retrieval or disclosure of event data.**85 (1) (a) Event data that is recorded on an event data recorder:86 (i) is private;87 (ii) is the personal information of the motor vehicle's owner; and

88 (iii) except as provided in Subsection (2), may not be retrieved by a person who is not
89 the owner of the motor vehicle.

90 (b) If a motor vehicle is owned by more than one person, only one owner is required to
91 consent to the retrieval or use of the data from a motor vehicle event data recorder.

92 (2) Event data that is recorded on an event data recorder may be retrieved, obtained, or
93 used by a person who is not the owner of the motor vehicle in the following circumstances:

94 (a) the owner of the motor vehicle or the owner's agent has consented to the retrieval of
95 the data;

96 (b) the data is retrieved by a motor vehicle dealer, motor vehicle manufacturer, or by an
97 automotive technician to diagnose, service, or repair the motor vehicle at the request of the
98 owner or the owner's agent;

99 (c) the data is subject to discovery **Ŝ→ in a criminal prosecution or ←Ŝ** pursuant to the
99a rules of civil procedure in a claim
100 arising out of a motor vehicle accident;

101 (d) a court or administrative agency having jurisdiction orders the data to be retrieved;

102 (e) a peace officer retrieves the data pursuant to a court order as part of an investigation
103 of a suspected violation of a law that has caused, or contributed to the cause of, an accident
104 resulting in damage of property or injury to a person; or

105 (f) to facilitate or determine the need for emergency medical care for the driver or
106 passenger of a motor vehicle that is involved in a motor vehicle crash or other emergency,
107 including the retrieval of data from a company that provides subscription services to the owner
108 of a motor vehicle for in-vehicle safety and security communications.

109 (3) Except as provided in Subsection (4), a person who has retrieved, obtained, or used
110 event data under Subsection (2) may not release event data that is recorded on an event data
111 recorder.

112 (4) A person may release event data that is recorded on an event data recorder in the
113 following circumstances:

114 (a) the owner of the motor vehicle or the owner's agent has consented to the release of
115 the data;

116 (b) the data is subject to discovery **Ŝ→ in a criminal prosecution or ←Ŝ** pursuant to the
116a rules of civil procedure in a claim
117 arising out of a motor vehicle accident;

118 (c) the data is released pursuant to a court order as part of an investigation of a