

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2200

That the House recede from its amendments as printed on pages 973 and 974 of the Senate Journal and pages 1220 and 1221 of the House Journal and that Engrossed Senate Bill No. 2200 be amended as follows:

Page 1, line 2, remove "to provide a penalty;"

Page 1, line 7, remove "**- Penalty**"

Page 1, line 9, replace "a systems data module" with "an event data recorder"

Page 1, line 10, replace "that fact" with "by model year 2007 the presence, capacity, and capabilities of the event data recorder"

Page 1, line 13, replace "systems data module" with "an event data recorder" and replace "device" with "feature"

Page 1, line 14, after "vehicle" insert "and does any of the following" and replace the period with ":

- a. Records the speed of the vehicle and the direction the motor vehicle is traveling.
- b. Records vehicle location data.
- c. Records steering performance.
- d. Records brake performance, including whether brakes were applied before an accident.
- e. Records the driver's safety belt status.
- f. Has the ability to transmit information concerning an accident in which the vehicle has been involved to a central communications system when an accident occurs."

Page 1, line 15, replace "a recording device" with "an event data recorder"

Page 1, line 16, remove "registered" and after "vehicle" insert "at the time the data is recorded, or through consent by the owner's agent or legal representative"

Page 1, line 22, after "number" insert ", with the last four digits deleted,"

Page 2, after line 8, insert:

- "c. By stipulation of the parties to the proceeding or by order of the court.
3. "Owner" means a person having all the incidents of ownership, including the legal title of a vehicle regardless of whether the person lends, rents, or creates a security interest in the vehicle; a person entitled to the possession of a vehicle as the purchaser under a security agreement; or

the person entitled to possession of the vehicle as lessee pursuant to a written lease agreement, if the agreement at inception is for a period in excess of three months.

4. A person, including a service or data processor operating on behalf of the person, authorized to download or otherwise retrieve data from an event data recorder pursuant to subdivision a of subsection 2 may not release that data except for the purposes of motor vehicle safety and medical communities to advance motor vehicle safety, security, or traffic management; or to a data processor solely for the purposes permitted by this subsection and only if the identity of the owner or driver of the vehicle is not disclosed."

Page 2, line 9, replace "3." with "5."

Page 2, line 10, replace "the listing of where the motor vehicle travels" with "vehicle location data"

Page 2, line 13, after "the" insert "terms and conditions of the" and remove "agreement"

Page 2, replace lines 16 and 17 with:

- "6. An insurer may not require as a condition of insurability consent of the owner for access to data that may be stored within an event data recorder and may not use data retrieved with the owners consent before or after an accident for the purpose of rate assessment."

Renumber accordingly