

ASSEMBLY BILL NO. 315—ASSEMBLYMEN PIERCE, PARKS,
BUCKLEY, GIUNCHIGLIANI AND MCCLAIN

MARCH 21, 2005

Referred to Committee on Transportation

SUMMARY—Enacts provisions relating to event recording devices
in motor vehicles. (BDR 43-894)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; requiring disclosure of the
existence of certain event recording devices in motor
vehicles under certain circumstances; restricting the use
of information retrieved from an event data recording
device under certain circumstances; providing a penalty;
and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 484 of NRS is hereby amended by adding
thereto a new section to read as follows:

*1. A manufacturer of a new motor vehicle which is sold or
leased in this State and which is equipped with an event recording
device shall disclose that fact in the owner's manual for the
vehicle. The disclosure must include a description of all the types
of data that will be recorded by the event recording device.*

*2. A manufacturer of a new motor vehicle which is sold or
leased in this State and which is equipped with an event recording
device shall affix a label in a prominent place on the vehicle
disclosing the fact that the motor vehicle is equipped with an event
recording device. A manufacturer of a new motor vehicle who
discloses on the label required by 15 U.S.C. §§ 1231 et seq. the fact*



1 *that the motor vehicle is equipped with an event recording device*
2 *shall be deemed to have complied with this subsection.*

3 3. *Except as otherwise provided in this section, data recorded*
4 *by an event recording device may not be downloaded or otherwise*
5 *retrieved by a person other than the registered owner of the*
6 *vehicle. Data recorded by an event recording device may be*
7 *downloaded or otherwise retrieved by a person other than the*
8 *registered owner of the vehicle:*

9 (a) *If the registered owner of the vehicle consents to the*
10 *retrieval of the data.*

11 (b) *Pursuant to the order of a court of competent jurisdiction.*

12 (c) *If the data is retrieved for the purpose of conducting*
13 *research to improve motor vehicle safety, including, without*
14 *limitation, conducting medical research to determine the reaction*
15 *of a human body to motor vehicle accidents, provided that the*
16 *identity of the registered owner or driver is not disclosed in*
17 *connection with the retrieval of that data. The disclosure of a*
18 *vehicle identification number pursuant to this paragraph does not*
19 *constitute the disclosure of the identity of the registered owner or*
20 *driver of the vehicle.*

21 (d) *If the data is retrieved by a new vehicle dealer or a*
22 *garageman to diagnose, service or repair the motor vehicle.*

23 (e) *Pursuant to an agreement for subscription services for*
24 *which disclosure required by subsection 5 has been made.*

25 4. *A person who retrieves data from an event recording*
26 *device pursuant to paragraph (c) of subsection 3 shall not disclose*
27 *that data to any person other than a person who is conducting*
28 *research specified in that paragraph.*

29 5. *If a motor vehicle is equipped with an event recording*
30 *device that is able to record or transmit any information described*
31 *in subparagraph (2) or (6) of paragraph (a) of subsection 7 and*
32 *that ability is part of a subscription service for the motor vehicle,*
33 *the fact that the information may be recorded or transmitted must*
34 *be disclosed in the agreement for the subscription service.*

35 6. *Any person who violates the provisions of this section is*
36 *guilty of a misdemeanor.*

37 7. *As used in this section:*

38 (a) *“Event recording device” means a device which is installed*
39 *by the manufacturer of a motor vehicle and which, for the*
40 *purposes of retrieving data after an accident involving the motor*
41 *vehicle:*

42 (1) *Records the direction and rate of speed at which the*
43 *motor vehicle travels;*

44 (2) *Records a history of where the motor vehicle travels;*

45 (3) *Records steering performance;*



1 (4) *Records brake performance, including, without*
2 *limitation, whether the brakes were applied before an accident;*

3 (5) *Records the status of the driver's safety belt; or*

4 (6) *If an accident involving the motor vehicle occurs, is*
5 *able to transmit information concerning the accident to a central*
6 *communications system.*

7 (b) *"Garageman" has the meaning ascribed to it in*
8 *NRS 487.545.*

9 (c) *"New vehicle dealer" has the meaning ascribed to it*
10 *NRS 482.078.*

11 **Sec. 2.** The provisions of this act apply to all motor vehicles
12 that are manufactured on or after January 1, 2006.

13 **Sec. 3.** This act becomes effective on January 1, 2006.



