

By: McCall

H.B. No. 160

A BILL TO BE ENTITLED

AN ACT

relating to motor vehicles equipped with recording devices.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter K, Chapter 547, Transportation Code, is amended by adding Section 547.615 to read as follows:

Sec. 547.615. RECORDING DEVICES. (a) In this section, "recording device" means a device that is installed by the manufacturer in a motor vehicle and that does any of the following for the purpose of retrieving information from the vehicle after an accident in which the vehicle has been involved:

(1) records the speed and direction the vehicle is traveling;

(2) records a history of where the motor vehicle travels;

(3) records steering performance;

(4) records brake performance, including information on whether brakes were applied before an accident;

(5) records the driver's safety belt status; or

(6) transmits information concerning the accident to a central communications system.

(b) A person who sells or leases a new motor vehicle in this state that is equipped with a recording device shall disclose that fact to the buyer or lessee of the vehicle.

(c) Information recorded or transmitted by a recording

1 device may not be retrieved by a law enforcement officer or a
2 prosecutor except under a court order or subpoena obtained after a
3 showing to a court that:

4 (1) retrieval of the information is necessary to
5 protect the public safety; or

6 (2) the information is evidence of an offense or
7 constitutes evidence that a particular person committed an offense.

8 SECTION 2. This Act takes effect September 1, 2005.