

2006 SESSION

INTRODUCED

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HOUSE BILL NO. 890

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-2215.1, relating to motor vehicle liability insurance; access to recorded data prohibited; civil penalties.*

Patron—Gear

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-2215.1, as follows:

§ 38.2-2215.1. Motor vehicle insurance policies prohibited from including provisions allowing access to recorded data; penalties.

A. As used in this section:

"Recorded data" means data that is stored or preserved electronically in a recording component.

"Recording component" means an electronic system in a motor vehicle that utilizes, preserves, or records, in electronic form, data collected by sensors or provided by other systems within the motor vehicle. "Recording component" includes, but is not limited to, event data recorders, service and diagnostic modules, electronic control modules, automatic crash notification systems, and any element of a motor vehicle electronic system that records and preserves data that can be retrieved or downloaded.

B. No policy or contract of motor vehicle liability insurance that authorizes or entitles the insurer or any agent or designee to access, scan, extract, retrieve, download, or otherwise obtain access to recorded data from a recording component of a motor vehicle, or to retrieve, remove or possess a recording component or device or mechanism that contains a recording component, shall be issued or delivered by any insurer licensed in the Commonwealth upon any motor vehicle that is principally garaged or principally used in the Commonwealth. Violation of this section shall be punishable as provided in § 38.2-218.

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