

**New Hampshire Statutes
Title XXXI - Trade and Commerce**

**Chapter 357-G
Event Data Recording Devices in Motor Vehicles**

1. Event Data Recorders.

I. As used in this section, “owner” means a person having all the incidents of ownership, including legal title of a vehicle, whether or not such persons 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, provided such agreement at its inception is for a period in excess of 3 months.

II. As used in the section, “event data recorder” means a device that is installed by the manufacturer of the vehicle and does one or more of the following, for the purposes of capturing data for retrieval after a crash:

- (a) Records vehicle speed or direction.
- (b) Records vehicle location data.
- (c) Records vehicle steering performance.
- (d) Records vehicle brake performance, including but not limited to, whether brakes were applied before a crash.
- (e) Records the driver’s seatbelt status.
- (f) Has the ability to transmit information concerning a crash in which the motor vehicle has been involved to a central communications system or other external device when a crash occurs.

III. A manufacturer of a new motor vehicle sold or leased in this state, which is equipped with one or more event data recorders, including “sensing and diagnostic modules,” shall disclose that fact in the owner’s manual for the vehicle. [III as inserted by Section 1 shall take effect January 1, 2007]

IV. If a vehicle is registered in this state, any event data recorder in the vehicle and any data recorded on any event data recorder in the vehicle is the property of the owner of the vehicle. Data described in paragraph II that is recorded on any event data recorder may not be downloaded or otherwise retrieved by a person other than the

owner of the motor vehicle at the time of the event, except under one of the following circumstances:

(a) The owner of the motor vehicle or the owner's agent or legal representative consents to the retrieval of the information.

(b) In response to an order of a court.

(c) The data is retrieved by a motor vehicle dealer, or by an automotive technician for the purpose of diagnosing, servicing, or repairing the motor vehicle.

(d) The data is retrieved for the purpose of determining the need for or facilitating emergency medical response in the event of a motor vehicle crash.

V.(a) If a motor vehicle is equipped with an event data recorder device that is capable of recording or transmitting information as described in subparagraphs II(b) or II(f) and that capability is part of a subscription service, the fact that the information may be recorded or transmitted shall be disclosed in the terms and conditions of the subscription service agreement.

(b) Paragraph IV shall not apply to subscription services meeting the requirements of V(a).

VI. Violations of this section shall constitute an unfair or deceptive act or practice under RSA 358-A:2.

VII. This section applies to all motor vehicles manufactured on or after July 1, 2006.