

# SENATE BILL No. 905

November 29, 2005, Introduced by Senators GILBERT, STAMAS, KUIPERS, JELINEK, ALLEN, GARCIA, BROWN, SANBORN and GOSCHKA and referred to the Committee on Transportation.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
(MCL 600.101 to 600.9947) by adding section 2170.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 2170. (1) DATA FROM AN EVENT DATA RECORDER SHALL NOT BE  
2 OBTAINED BY DISCOVERY AND ARE NOT ADMISSIBLE INTO EVIDENCE IN A  
3 CIVIL ACTION, UNLESS THE PERSON OPERATING THE MOTOR VEHICLE  
4 EQUIPPED WITH THE EVENT DATA RECORDER WAIVES THE PRIVILEGE CREATED  
5 BY THIS SECTION.

6           (2) AS USED IN THIS SECTION:

7           (A) "EVENT DATA RECORDER" MEANS THAT TERM AS DEFINED IN  
8 SECTION 682C OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
9 257.682C.

1           (B) "OPERATING" MEANS THAT TERM AS DEFINED IN SECTION 35A OF  
2 THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.35A.

3           Enacting section 1. This amendatory act does not take effect  
4 unless Senate Bill No. 902

5                   of the 93rd Legislature is enacted into law.