



**CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE**

April 8, 2015

**S. 766
Driver Privacy Act of 2015**

*As ordered reported by the Senate Committee on Commerce, Science, and Transportation
on March 25, 2015*

S. 766 would establish that any data collected by event data recorders (EDRs) in motor vehicles are the property of the owner or lessee of the vehicle and would set broad conditions under which such data could be retrieved by others for purposes such as judicial proceedings, investigations, and traffic safety research. The bill also would require the National Highway Traffic Safety Administration (NHTSA) to complete a study and a rulemaking about the data collected by EDRs.

Based on information from NHTSA, CBO estimates that implementing S. 766 would cost about \$1 million over the 2016-2020 period, assuming the availability of appropriated funds. Enacting S. 766 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 766 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local or tribal governments.

By requiring NHTSA to issue regulations that establish the appropriate period for EDRs to capture and record information, the bill could impose a private-sector mandate on automobile manufacturers if those regulations require changes in the design of motor vehicles. Most manufacturers currently install EDRs in new vehicles. Current standards for EDRs require them to capture and record a few seconds before and after a crash. If NHTSA issues regulations that would alter the required time period captured by EDRs, manufacturers may have to redesign the electronic equipment and storage space of their vehicles to accommodate a different type of EDR, which could amount to a substantial increase in costs for the industry. However, because the cost of the mandate would depend on future regulations, CBO cannot determine whether the aggregate cost of the mandates would exceed the annual threshold for private-sector mandates established in UMRA (\$154 million in 2015, adjusted annually for inflation).

The CBO staff contacts for this estimate are Sarah Puro (for federal costs) and Amy Petz (for the private-sector impact). The estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.