

August 20, 2015

To the Honorable Members of
The Illinois Senate,
99th General Assembly:

Today I return Senate Bill 1834 with specific recommendations for change. I thank the sponsors for their work on this bill, but believe these changes are needed to ensure the bill is clear in its intent.

Certain contract carrier companies use recording devices in their vehicles to monitor drivers and record information about crashes and other vehicle incidents. Senate Bill 1834 would define “video event recorder” – a device that continuously records audio, video, and G-force levels of a vehicle – and requires that the contract carrier post a notice in the vehicle that a passenger’s conversations may be recorded. The changes recommended below are intended to correct ambiguities in the bill.

First, the definition proposed by Senate Bill 1834 is too narrow for its intended purpose. The bill could be read to require notice only if the recorder saves video in certain limited circumstances (when triggered by unusual shaking or when operated by the driver to monitor driver performance), but does not address if and when notice is required with the use of other types of recorder, such as those that might save audio data. The changes recommended below would provide a more standard definition of “video event recorder,” to ensure notice is provided no matter what type of recorder is used.

Second, the notice requirement is added to an existing section (Section 12-604.1), which prohibits a person from operating a vehicle that displays television or video in front of the driver. Section 12-604.1 is intended to protect the public from distracted drivers and includes appropriate enforcement provisions, while the new provisions of Senate Bill 1834 are intended to protect privacy rights of the driver and passengers. The combination of these provisions is confusing. The changes recommended below would move the new notice requirements to a separate section to avoid confusion.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return Senate Bill 1834, entitled "AN ACT concerning transportation", with the following specific recommendations for change:

On page 1, by replacing line 5 with: "Section 12-604.1 and by adding Sections 1-218.10 and 12-604.2 as follows:"; and

On page 1, by replacing lines 6 through 12 with the following:

“(625 ILCS 5/1-218.10 new)

Sec. 1-218.10. Video event recorder. A video recorder placed inside a vehicle that continuously records, in a digital loop, audio, video, and G-force levels.”; and

On page 3, by replacing lines 12 through 18 with the following: “installed in a contract carrier vehicle.”; and

On page 4, immediately after line 6, by inserting the following:

“(625 ILCS 5/12-604.2 new)

Sec. 12-604.2. Video event recorders. A contract carrier vehicle carrying passengers that is equipped with a video event recorder shall have a notice posted in a visible location stating that a passenger’s conversation may be recorded. Any data recorded by a video event recorder shall be the sole property of the registered owner or lessee of the contract carrier vehicle.”

With these changes, Senate Bill 1834 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR