

Use the possibilities of Event Data Recorders

Insurers welcome the introduction by the European Commission of an obligatory data recorder for accidents: Event Data Recorders (EDRs). With data from EDRs, Member States can better analyse and improve road safety.

We advocate expanding the scope of application of EDRs: add to the regulation on type-approval requirements for motor vehicles that the authorities may retrieve the data after an accident in order to be able to determine the circumstances and cause of the accident quickly and more carefully. This accelerates the answer to the liability question and the claims handling.

Current practice can lead to unsatisfactory outcomes

In order to assess liability, insurers depend on the readings of the road users involved. After all, in most cases the police do not get to the place of accident anymore. This is difficult when the statements differ. It is unsatisfactory for victims if, for example, a speeding violation cannot be proven. As a result, people may actually receive (full) compensation for damages or the insurer cannot recover the compensation (on another insurer). This is socially undesirable.

The future: faster assessment of liability

With data from an EDR, the circumstances and cause of a traffic accident can be clearly visualized. A prerequisite for this is that an EDR, unlike the European Commission proposal, also registers the vehicle identification number. After an accident the authorities, for example the police, can retrieve data. The authorities must be able to do this directly and themselves to prevent data from being retrieved or modified by a party that has an interest in it. The insurer can then (partly) on the basis of the police accident report have access to the essential information for the assessment of liability. This leads to faster settlement of (injury) claims.

Privacy

It goes without saying that the rules of the General Data Protection Regulation also apply to EDRs. The proposed broader application requires the addition of a second purpose of EDRs to the type-approval requirements.

If now the police make a report and accident analysis, the police report also includes the relevant data for the assessment of involvement and liability. Examples are (if known) speed, direction, direction indicator on/off, use of the safety belt yes/no, etc. The police report is made available to the road users and insurers involved. Therefore, the nature of the recorded data does not change but the quality of it improves.

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