

# Is 'big brother' hiding under car hoods?

· **Detroit is putting black boxes in cars to enhance safety. Critics worry about privacy.**

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In addition to antilock brakes and a kickin' stereo, today's new cars might come equipped with a dramatic feature the owner isn't even aware of - a data recorder.

The only question is: Is that good or bad?

Capable of tracking everything from vehicle speed to whether the driver has buckled up, the recorders are the automotive equivalent of the airlines' little black box. Carmakers tout them as a valuable tool that will help create safer vehicles.

But privacy advocates say the recorders raise the specter of Big Brother under the hood. "The long-term effects of this technology are ... ominous," says Barry Steinhardt of the American Civil Liberties Union in Washington.

So far, all new cars have relatively rudimentary versions of the recorders: They're tied to airbags and monitor how the safety devices work and other basic information.

But General Motors Corp. is taking the lead in putting more-sophisticated recorders in many 1999 models that will track everything from speed to a driver's braking patterns.

Eventually, experts predict that virtually all cars will carry advanced recorders.

"We're excited about the opportunity" to understand accidents better, says Don Griffin, associate director of the National Association of Independent Insurers. The industry expects to be able to use the information to settle claims faster, with fewer lawyers, and thus perhaps give consumers better rates.

Automakers, too, are keen to collect the data. They will soon face regulations requiring "smart airbags" on cars. Thus they need to know when and how strongly the devices should inflate.

At present, for instance, engineers are uncertain when to trip an airbag if a small adult is in the passenger seat. Better data on real-world accidents would help clarify this.

The smarter airbags get, "the more important it will be to record more [accident] data," says Phil Haseltine, president of the American Coalition for Traffic Safety in Arlington, Va.

Crashing cars into barriers with dummies on board (the current state of data collection) doesn't capture all the variables involved in real-world crashes. "There's so much more variation in the real world than you can duplicate in the lab," says Mr. Haseltine.

So far, car companies are keeping the data they collect to themselves. But the big question is: Who should have access to it?

"Our position is that the person who bought the car owns the data," says Terry Rhadigan, a spokesman for GM. He adds that GM always asks owners before retrieving black boxes from their cars.

But who owns the data can be far more complicated than this. If the car was financed, the bank owns it, in the eyes of the National Highway Traffic Safety Administration.

If an insurance company has totaled the car, the insurance company may own the data. Even if the data remains in the hands of the driver, it could be subpoenaed in a lawsuit.

That's what concerns privacy advocates. They worry that the information could become standard evidence used against drivers in suits and in insurance claims.

Their most immediate concern, though, is more basic: that car buyers have neither consented to having their data recorded, nor even been told that their vehicles are equipped with the devices.

Further out, critics see the possibility of other problems. As the black boxes become more sophisticated, for instance, police may be able to pick up signals transmitted from the devices that tell them when a driver is speeding. "It's easy to see how we could get there technologically," says Haseltine.

While virtually all of today's new cars contain recording devices, only General Motors recorders now track 5 seconds worth of data before a crash - including vehicle speed, engine power, brake application, and seat-belt use. Others have only enough memory to record a split second of accident information.

Gm's advanced boxes are in all 1999 Cadillacs, Buicks, Pontiac Firebirds, Chevrolet Camaros, and some Corvettes -roughly 2 million to 6 million cars. Haseltine says all 2000 GMs will have them. And while GM isn't sharing the data, "clearly the information will get out of the hands of the auto owner," says another official at the ACLU who declined to be named.

"A lot of these plans start out with the best intentions, but when the government is involved, it always wants back-door access."

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