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FOR IMMEDIATE RELEASE

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Consumer Data Protection Bill Circulated

Madison, WI – A bill to protect the privacy of consumer data was circulated for support Wednesday by Representatives Jesse Kremer (R-Kewaskum), Romaine Quinn (R-Rice Lake) and Senator Duey Stroebel (R- Saukville). The bill would protect data recorded by motor vehicle event data recorders, onboard diagnostics and infotainment centers from unauthorized access and transmission.

Often referred to as “black boxes,” event data recorders (EDRs) are information gathering systems that record a required set of data in relation to an event, such as a crash. EDRs have been a component in vehicles since the 1970’s and continue to be used in today’s new vehicles. In 2006, the National Highway Transportation Safety Administration (NHTSA) created an EDR rule standardizing the data that EDRs in vehicle model years 2013 and newer must collect. Speed, braking, acceleration, seat belt status and airbag data are among the 15 required data points.

Event data recorders are not the only systems recording information about your vehicle and driving habits. Onboard diagnostics and vehicle “infotainment” systems are also recording and storing data. This bill would limit access to and transmission of data to an owner’s written consent. Cases in which written consent would not be necessary include court orders, subscription services for which the owner has contracted, usage-based insurance policies, law enforcement investigations and diagnostic assessments for vehicle repair purposes. Additionally, insurance companies are prohibited from making policy issuance or renewal contingent on the release of EDR data.

In response to the bill’s release, Rep. Kremer issued the following statement:

“Privacy concerns often follow in the wake of rapid technological advances, and are frequently brought to the forefront of the public debate with common-place technologies such as smart phones, Google Earth cameras and drones. Legislators must step up to address the constantly changing world in which we live. If this bill becomes law, it will clarify who owns the data collected by a motor vehicle and who has the right to view, store and transmit that information. As EDRs develop in complexity and interactivity, this legislation would ensure Wisconsin’s motorists are sufficiently protected from unauthorized data access, tracking and transmission.”

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