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THE MARYLAND HOUSE OF DELEGATES
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HB 1389

Maryland Personal Information Protection Act – Geolocation Information and Unfair, Abusive, and Deceptive Trade Practices Act

Chair Davis, Vice Chair Dumais, Members of the Economic Matters Committee, thank you for your consideration of HB 1389.

HB 1389 would protect the privacy of our location: where we are and where we have been. Most of us carry our phones with us every day, everywhere we go. And while it is a means by which to work, to connect with others, research information, read the news, find funny memes, keep a calendar, and do a whole lot more good things, it is also a tracker. The apps on your phone, from the one that counts your steps to the one that gives you directions to your camera, all collect and store information about your location.

Your camera? Records & stores the location of where each picture was taken. That health app that tracks your walk/run? Records where you went. For a lot of these apps, you can go into settings and turn off the location tracker. But for a lot of them, you may not want to do that. For example, I want location on in my Starbucks app because I want it to tell me the nearest store. But, that said, I don't want Starbucks to collect and use the information of where I am and where I have been. And, importantly, I have no idea what they do with that information.

HB 1389 would provide a measure of transparency and privacy for that information. It would require that a business may not collect, use, store or disclose geolocation information unless the company informs the individual that it is collecting this information, states the purpose for which the information is being collected, and obtains the affirmative consent for the information. HB 1389 also has several safety exceptions for emergency situations.

I respectfully request for a favorable report on HB 1389.