
TESTIMONY IN SUPPORT OF HB 148

Consumer Protection and Labor and Employment - Surveillance-Based Price and Wage Setting - Prohibition

House Economic Matters Committee

February 10, 2026

Social Work Advocates for Social Change strongly supports HB 148, which will help protect working Marylanders by banning the use of artificial intelligence (AI) in surveillance-based price setting and in determining wages. The bill also empowers the Commissioner to investigate any violations of this ban.

Surveillance-based price setting is the business practice of collecting consumers' private, personal data – often without consent – to set the price offered. Dynamic pricing, like increasing hotel rates during travel season, is nothing new. However, **using AI to set prices and wages based on personal information is a dangerous escalation of dynamic pricing.**

Price-setting using AI has resulted in economic discrimination – manipulating both the costs of services and workers' wages. A study of Uber fares in Chicago revealed that non-white neighborhoods with higher levels of poverty were subject to higher fare prices.ⁱ Delivery drivers for Amazon experience variable wages according to fluctuations in delivery demand and hidden scorecards that AI uses to evaluate a driver's value. Both companies do business in Maryland, but neither shares the algorithms they use to inflate prices and deflate wages. There is no transparency.

Surveillance-based pricing can also change the price of goods – including housing – to the disadvantage of Marylanders. Artificial intelligence can increase the price of essential goods ranging from toilet paper to housing. In fact, the Antitrust Division of the US Department of Justice is currently pursuing a case against RealPage, whose collusion with landlords for the sake of increasing profits has driven up the cost of housing.ⁱⁱ At a time when fewer than 50% of Maryland households can afford a median-priced home, **we cannot afford surveillance-based pricing worsening Maryland's existing housing crisis.**ⁱⁱⁱ

Artificial intelligence for surveillance-based pricing harms workers and consumers alike. Therefore, legislators must move to protect Marylanders from the threat of AI-powered discrimination and price-gouging. **Social Work Advocates for Social Change urges a favorable report on HB 148.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

ⁱOn *Algorithmic Wage Discrimination* (2023), Veena Dubal. Available at: <https://www.columbialawreview.org/content/on-algorithmic-wage-discrimination/>

ⁱⁱ*United States of America et al. v. RealPage, Inc. et al. Proposed Final Judgment and Competitive Impact Statement* (2016), Federal Register. Available at <https://www.federalregister.gov/documents/2026/01/21/2026-01009/united-states-of-america-et-al-v-realpage-inc-et-al-proposed-final-judgment-and-competitive-impact>

ⁱⁱⁱ *Making the State of Maryland a Desirable and Affordable Home for All Residents* (accessed 2/5/2026), The Office of Governor Wes Moore. Available at <https://priorities.maryland.gov/pages/housing>