

February 17, 2026

Senator Pamela Beidle  
Chair, Senate Finance Committee  
Maryland State Senate  
3 East Miller Senate Office Building  
Annapolis, Maryland 21401

Senator Antonio Hayes  
Vice Chair, Senate Finance Committee  
Maryland State Senate  
3 East Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Support SB 569 to Allow for Beneficial Uses of Location Data**

Dear Chair Beidle and Members of the Committee,

On behalf of the Network Advertising Initiative (NAI), I am writing to urge the Committee to pass SB 569. The NAI strongly supports this legislation because it will maintain strong, Nation-leading data protections for Maryland consumers while also allowing for beneficial uses of consumers' location data that support free mobile applications and empower small businesses to compete with large online platforms.

Founded in 2000, the NAI is the leading non-profit, self-regulatory trade association for advertising technology companies. For 25 years, the NAI has promoted strong consumer privacy protections, a free and open Internet, and enabled small businesses to thrive by promoting the highest voluntary industry standards for the responsible collection and use of consumer data.<sup>1</sup> The NAI has nearly 80 member companies that span the ad-tech industry, including many businesses that provide advertising and marketing services driven by consumer location data. These companies maintain a variety of clients and partners—including advertisers, publishers, digital advertising platforms, retailers, and other companies that rely on them to provide context to precise location data such as latitude and longitude coordinates.

**SB 569 Would Make a Small but Important Amendment to MODPA to Preserve the Ability for Small Businesses to Compete for Essential Uses of Consumer Location Data with Consent**

The Maryland Online Data Protection Act (MODPA) is a strong comprehensive privacy law that protects Maryland consumers. However, as enacted, it is the most restrictive state law in the Nation. Currently, the statute effectively disables location services provided in mobile apps by third-party advertising technology companies, rendering most apps incapable of performing critical functions and cutting off essential revenue for app providers. In short, the current law jeopardizes the wide range of free apps for consumers.

On the contrary, mobile operating system providers and some of the other largest technology companies can still offer apps and provide their own location-based services and advertising, without needing to partner with location solution providers. Therefore, MODPA's prohibition on transfers of consumer location data threatens the ability of small and medium-sized app providers to continue providing services to Maryland residents, while permitting similar services from only the largest companies. This outcome creates a substantial imbalance in the digital media industry which may result in a severe disservice to consumers.

---

<sup>1</sup> See *History of the NAI*, The Network Advertising Initiative, <https://thenai.org/about-the-nai-2/history-of-the-nai/>.

The NAI recognizes and agrees on the need to protect consumers' sensitive data. However, if a Maryland resident receives clear, understandable information and chooses to opt in to receive relevant advertisements or offers, the law should not prevent that informed decision and potential value from this exchange. SB 569 therefore proposes a narrowly tailored amendment to MODPA to ensure that Maryland consumers retain the ability to control their sensitive data, allowing for the use and transfer of precise location data only where there is clear notice and affirmative opt-in consent

### **The Location Data Industry is a Strong U.S. Economic Driver, Benefiting Consumers and Small Businesses**

Location solution providers are businesses that work with app providers in the collection and processing of consumer location data to provide critical location-based functionality of apps, while also utilizing that data to provide advertising and marketing services that help monetize apps, making them available to consumers for free or low cost. Together, the U.S. location data industry was valued at approximately \$5 billion in 2023 and is projected to reach \$16.3 billion by 2032, growing at an annual rate of more than 14% from 2024 to 2032. This growth is being driven by the increased use of connected devices, the rapid expansion of mobile applications, and the rising demand for real-time spatial analytics.<sup>2</sup>

Marketers have effectively delivered location-based digital advertising for decades, but the location data industry is also increasingly being utilized to power offline decision making, where aggregated location data has enormous benefits for individuals, commerce and public works. For instance, when leading retailers are analyzing where to put their stores, insights about consumer movements in and around town are essential. In summary, the location data industry provides the following benefits to consumers, businesses and governments:

- Provides consumers access to a wide range of free apps funded by location-based ads, preventing them from having to pay a subscription fee for every app and news source they use.
- Provides small businesses and nonprofits access to effective advertising tools and data to help them compete with larger businesses.
- Enables local and independent advertisers to compete with dominant Big Tech platforms that don't rely on third-party data to perform digital services and reach key customers.

### **Conclusion**

Again, the NAI urges the Committee to pass SB 569 to allow for responsible sharing of consumer location data for beneficial advertising and marketing purposes, and for critical research. Thank you in advance for your consideration of this request.

Sincerely,



Leigh Freund  
President & CEO  
Network Advertising Initiative (NAI)

---

<sup>2</sup> *Location Intelligence Market to USD 63.8 Billion by 2032, Driven by Rising Demand for Spatial Data Analytics*. SNS Insider. 2025.  
<https://www.globenewswire.com/news-release/2025/04/22/3065171/0/en/Location-Intelligence-Market-to-USD-63-8-Billion-by-2032-Driven-by-Rising-Demand-for-Spatial-Data-Analytics-Research-by-SNS-Insider.html?pdf=1>