

**Sen. Ellis Written Testimony - SB0569.pdf**

Uploaded by: Arthur Ellis

Position: FAV

ARTHUR ELLIS, CPA  
*Legislative District 28*  
Charles County

DEPUTY MAJORITY LEADER

Finance Committee

Vice Chair, Rules Committee

*Senate Chair*

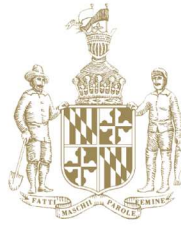
Joint Committee on the  
Management of Public Funds

*Senate Chair*

Joint Committee on  
Workers' Compensation Benefit and  
Insurance Oversight

Senate Chair, Charles County Delegation

Chair, Select Committee Southern  
Maryland



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

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*District Office*  
3261 Old Washington Road  
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Sponsor Written Testimony: Favorable

Senate Bill 0569: Commercial Law – Online Data Privacy – Limits on Data Collection

February 17, 2026

Dear Chair Beidle, Vice Chair Hayes, and colleagues of the Senate Finance Committee:

I am pleased to present Senate Bill 0569. Senate Bill 0569 is an adjustment to the Commercial Law pertaining to online data privacy. This important legislation establishes necessary and timely safeguards to limit excessive online data collection and strengthen consumer privacy protections for residents of Maryland. In today's digital environment, individuals routinely interact with online platforms. However, consumers may not be aware of the extent to which their personal data – including location, browsing behavior, financial information, and other personal data are collected, analyzed, and monetized. Senate Bill 0569 prohibits collecting, sharing, or selling of an individual's precise geolocation data for the purpose of targeted advertising. For these reasons, I request a favorable report on Senate Bill 0569.

Sincerely,

A handwritten signature in cursive script that reads "Arthur Ellis".

Arthur Ellis, CPA

# **HB 569 Written Testimony - InMarket.pdf**

Uploaded by: Jason Knapp

Position: FAV



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

**RE: Senate Bill 569 - Commercial Law - Online Data Privacy - Limits on Data Collection - SUPPORT**

**February 19, 2026**

Chair Beidle and Members of the Committee:

We appreciate Maryland's leadership in advancing strong consumer privacy protections as well as the opportunity to submit written testimony in support of Sen. Ellis's narrowly tailored bill, SB 569, to better align Maryland's privacy law, the Maryland Online Data Privacy Act (MODPA), with the goals of empowering consumers and supporting Maryland's businesses.

### **About InMarket**

InMarket is an independent digital advertising and ad measurement technology company headquartered in Austin, Texas, with more than 325 employees in the United States. We specialize in real-time, location-based advertising that connects consumers with relevant advertisements when they are making purchasing decisions.

We are a small business trying to compete directly with the largest technology platforms while serving hundreds of businesses, including grocery stores, retailers, restaurants, consumer packaged goods companies, and regional brands. Many of these are small and mid-sized businesses that rely on responsible digital advertising to reach local customers.

For example, we partner with more than 65 Maryland grocery stores across the state to deliver a digital version of the store's weekly circulars, advertising special offers and coupons directly to shoppers' phones— which is where most consumers choose to receive such information today. We also partner with local auto dealerships to reach local potential customers through their ads, keeping Maryland dollars in Maryland.

These tools help Maryland families save money in real time and help Maryland businesses connect with customers.

### **Our Privacy-Forward Approach**

InMarket shares Maryland's commitment to meaningful privacy protections. Where applicable law does not prevent the collection and use of this data, we provide clear notice and **require affirmative opt-in consent** before collecting precise location data in each instance. Consumers must knowingly and voluntarily choose

to share their data. We also provide consumers with simple-to-use and effective opt-out and data deletion choices.

These practices align with Federal Trade Commission (FTC) guidance and industry standards developed and promoted industry-wide by the Network Advertising Initiative (NAI), of which InMarket is a member. We believe in enforceable, transparent privacy rules that put consumers in control.

### **How Consumers Benefit from Responsible Location-Based Advertising**

Digital location-based advertising can deliver real-time tangible benefits to Maryland consumers.

If consumers choose to opt in, location-based advertising helps them:

- Discover new products, services, and local businesses;
- Receive coupons, discounts, and offers that reduce household expenses;
- Benefit from free or lower-cost mobile apps and many digital services supported by advertising revenue; and
- Access free or lower-cost local news, which depends heavily on advertising revenue.

For many Maryland families, especially in these times where household costs continue to rise, digital coupons and personalized offers are meaningful financial tools. A broad ban on location-powered advertising, even where a consumer knowingly and freely consents, cuts off access to helpful tools.

Advertising also subsidizes much of the modern internet. Many of the apps Marylanders rely on for weather updates, navigation, transit schedules, and community information are offered at no cost because they are supported by advertising. Local newspapers and news publishers similarly depend on digital advertising revenue to sustain reporting operations.

When consumers receive clear use disclosures and affirmatively opt in, they choose to participate in this value exchange available in most states in the nation. MODPA's current language removes that option for Marylanders.

### **The Unintended Consequence of MODPA's Current Language**

As currently drafted, MODPA prohibits the use and transfer of precise location data even where a consumer has received clear disclosure and affirmatively opted in.

We respectfully submit that this outcome unintentionally overrides consumer choice.

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.

By eliminating the ability to use and transfer precise location data even with the consumer's consent, the current language risks:

- Reducing the effectiveness of advertising tools used by Maryland small businesses;
- Increasing customer acquisition costs for local retailers;
- Shifting advertising dollars toward a small number of dominant platforms that operate closed ecosystems; and
- Reducing advertising revenue that supports Maryland newspapers and local news organizations.

Independent ad technology companies operate in an open ecosystem that supports thousands of businesses and publishers. Broad prohibitions can unintentionally consolidate advertising power in the hands of the largest platforms, limiting competition from small businesses rather than strengthening it.

### **Sen. Ellis' Proposed Narrow Bill**

We do not seek to weaken the privacy protections of Maryland consumers. Instead, we support a targeted and narrow clarification:

- Allow the use and transfer of precise location data where there is clear notice and affirmative opt-in consent; and
- Continue to ensure robust opt-out and deletion rights for consumers.

This approach maintains strong consumer safeguards while preserving the core principle of consumer choice.

It reflects the framework adopted by many other states with comprehensive privacy laws, which allow the collection and transfer of precise location data when consumers have expressly opted in.

### **A Balanced Approach for Maryland**

Maryland has demonstrated leadership in protecting privacy while supporting economic opportunity. This narrow change to MODPA would:

- Empower consumers to make informed decisions about their own data;
- Support small and mid-sized Maryland businesses;
- Protect advertising revenue for local news outlets; and
- Preserve competition in digital advertising markets.

Privacy protections and consumer empowerment are not in tension. Each consumer's personal privacy choices should be personal, not "one size fits all." When consumers receive clear disclosures and are empowered by law to make meaningful choices, they can confidently decide whether to participate in data-driven services that provide tangible value, and the government should not override that choice.

We respectfully urge the Committee to adopt this narrow bill to ensure MODPA fully reflects Maryland's commitment to both strong privacy protections and consumer choice.

Thank you for your consideration. We are happy to provide any additional information the Committee may find helpful.

Sincerely,

Jason Knapp  
Chief Legal & Privacy Officer  
InMarket

**NAI\_MD\_SB569\_Testimony.pdf**

Uploaded by: Nicolas Meyer

Position: FAV

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.

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<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)

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<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>

**Cuebiq Group LLC\_SB569\_testimony.pdf**

Uploaded by: Francesco Guglielmino

Position: FWA

## **TESTIMONY OF FRANCESCO GUGLIELMINO**

**Chief Executive Officer**

**Cuebiq Group, LLC**

### **BEFORE THE MARYLAND SENATE FINANCE COMMITTEE**

#### **SB 569 – MARYLAND ONLINE DATA PRIVACY ACT (MODPA) SUPPORT WITH AMENDMENTS**

**February 17, 2026**

Chair Beidle and Members of the Committee:

Thank you for the opportunity to submit written testimony regarding the Maryland Online Data Privacy Act (MODPA). We appreciate Maryland's leadership in advancing strong consumer privacy protections and respectfully support Senator Ellis's narrowly tailored bill, SB 568, to better align the statute with the goals of empowering consumers and supporting Maryland's businesses.

#### **About Cuebiq**

Cuebiq is a leading provider of location intelligence, helping brands and agencies understand how people move, shop, and engage in the real world. Cuebiq's solutions are built on a foundation of transparency and user trust. We lead the industry in privacy standards and ethical data sourcing, while continually striving to advance user privacy protections. At Cuebiq, we deliver meaningful value to the communities where we operate, including in Maryland, until the enactment of MODPA.

#### **Creating Shared Value With Data**

In order to create sustained impact over the long term, Cuebiq takes a hybrid approach to data philanthropy and creating shared value for society and the research community. Cuebiq provides pro-bono access to turn-key aggregated datasets for qualified academic research and humanitarian initiatives. Additionally, Cuebiq provides at-cost access to our platform, offering privacy-preserving mobility solutions for customized research and needs. We also allocate a limited number of pro-bono accounts to our platform for select organizations creating profound social impact and developing innovative open-source solutions for the geospatial community.

#### **A Principled Approach**

At Cuebiq, we embrace data privacy as a core value, and it is integral to our approach to data collection. We are committed to providing an excellent user experience and clarity about how we collect location data, what we use it for and information about our privacy framework. We continually evolve our privacy approach to adhere to new regulatory advances, and we believe it is our responsibility to communicate honestly and openly about our stance and commitment to consumer privacy. We have built our privacy framework around four key principles: Consent, Transparency, Accountability, and User Control.

These practices align with Federal Trade Commission (FTC) guidance and industry standards developed through our self-regulatory body, the Network Advertising Initiative (NAI), of which Cuebiq is an active member and helps shape the responsible use of location data.

### **How Maryland Consumers Benefit from Cuebiq’s Research Partnerships**

Cuebiq’s Social Impact program, in partnership with leading universities and institutions, powers research and academic teams globally. As a pioneer of the “Data for Good” movement, Cuebiq drives positive social impact in Maryland through the ethical and responsible use of location-based data.

Beyond simply providing data, the Cuebiq Data Platform supports scientific inquiry, provides policy makers with actionable insights, and fosters innovation ecosystems around data equity and privacy. Below are two examples where Cuebiq’s privacy-safe location data collection has directly benefitted key research work to address quality of life issues for consumers.

#### University of Maryland: Effect of Evacuation Warnings on Evacuation Behavior

Publication: <https://arxiv.org/abs/2102.12600>

Researchers from the University of Maryland utilized Cuebiq data to analyze evacuation behaviors during Hurricane Irma. The findings revealed that 57.92% of residents in mandatory evacuation zones evacuated, compared to approximately 33% in areas with no or voluntary evacuation orders. Additionally, the study highlighted the significance of mobility behaviors during times of normality in influencing evacuation decisions, providing valuable insights for disaster management agencies.

#### University of Maryland: Providing the Department of Transportation with Efficient Data Collection for Transportation Planning

Publication: [https://nhts.ornl.gov/assets/MacroSys\\_FHWAAssessChangesReport\\_01212020.pdf](https://nhts.ornl.gov/assets/MacroSys_FHWAAssessChangesReport_01212020.pdf)

By leveraging Cuebiq data, researchers at the University of Maryland generated origin-destination (O-D) tables for trips, segmented by travel mode, trip purpose, traveler socio-demographics, month of year, and time of day. Beyond producing national-scale O-D data, the team created localized products for the Baltimore metropolitan area, demonstrating the potential for regional transportation planning. The project validated Cuebiq’s ability to accurately capture travel patterns by comparing the data against ground-truth sources, reinforcing its value for agencies seeking data-driven insights to enhance transportation planning and policy decisions.

### **MODPA’s Current Language Prohibits Cuebiq’s Privacy-safe Approach**

As currently drafted, MODPA prohibits the use and transfer of precise location data even where a consumer has received clear disclosure and voluntarily provided affirmative opt-in consent.

If a Maryland resident reviews Cuebiq’s clear and accessible disclosures and chooses to opt-in to provide access to their location data in exchange for a commercial benefit, the law should not prevent that educated

and valuable exchange.

### **Senator Ellis' Proposed Narrow Bill**

Cuebiq supports a targeted and narrow clarification to SB 568:

- Allow the use and transfer of precise location data where there is clear notice and affirmative opt-in consent; and
- Continue to ensure robust opt-out and deletion rights for consumers.

This approach maintains strong consumer safeguards while preserving the core principles of consumer consent and choice, while requiring transparency and accountability from providers of location intelligence services.

This type of framework has been adopted by many states with comprehensive privacy laws, which allow the collection and transfer of precise location data when consumers have provided affirmative, express consent.


### **Continued Privacy Leadership for Maryland**

Maryland has demonstrated leadership in protecting consumer privacy while balancing economic benefit and cutting edge location research.

We respectfully urge the Committee to adopt this narrow amendment to ensure MODPA fully reflects Maryland's commitment to both strong privacy protections and consumer choice.

Thank you for your consideration. We are happy to provide any additional information the Committee may find helpful.

Sincerely,

Signed by:  
  
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Francesco Guglielmino  
Chief Executive Officer  
Cuebiq Group, LLC

**PDF\_[MD] SB 569\_TechNet.pdf**

Uploaded by: margaret durkin

Position: UNF

February 17, 2026

The Honorable Pam Beidle  
Chair  
Senate Finance Committee  
Maryland Senate  
3 East Miller Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

*RE: SB 569 (Ellis) - Commercial Law - Online Data Privacy - Limits on Data Collection – Unfavorable*

Dear Chair Beidle and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on SB 569.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 103 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

Our member companies consistently place a high priority on consumer privacy, and the technology industry is committed to privacy and security. As part of that, transparency and the responsible use of data are pillars of the tech sector. TechNet will advocate for a federal privacy standard that expressly preempts state laws and brings uniformity to all Americans regardless of where they live, encourages innovation, and ensures that consumers' privacy is protected consistent with reasonable expectations and industry standards. In the absence of a federal standard, lawmakers should look to interoperable, comprehensive legislation already passed in other states to build on the unified standard that provides strong privacy protections to more than 100 million Americans.

Under the current Maryland Online Data Privacy Act (MODPA), consumers must opt-in to the collection and use of their sensitive information, including precise geolocation. Thus, a consumer must agree and must also have been provided with disclosures of the purposes for use of the information. Further, under existing law, a consumer has control over such information. They may opt-out of the sale of all

their personal information, which includes precise geolocation information. Consumers also have confirmation and deletion rights that apply to the data.

We believe this bill is simply not needed as existing law already provides for protections around the use of geolocation. Consumers have controls should they wish to exercise them. Moreover, the Senate Finance Committee deliberated on MODPA, and it only recently went into effect in late 2025. We request that the current law remain the same for a period of time so businesses won't have to potentially make compliance updates so soon after the enactment date.

For the reasons stated above, TechNet is opposed to this bill. Thank you for your consideration, and we look forward to continuing these discussions with you.

Sincerely,



Margaret Durkin  
TechNet Executive Director, Pennsylvania & the Mid-Atlantic

# **SB0569 - LOI - SHA - Commercial Law - Online Data**

Uploaded by: Patricia Westervelt

Position: INFO

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February 19, 2026

The Honorable Pam Beidle  
Chair, Finance Committee  
3 East Miller Senate Office Building  
Annapolis, MD 21401

***Re: Letter of Information – Senate Bill 569 – Online Data Privacy – Limits of Data***

Dear Chair Beidle and Committee Members:

The Maryland Department of Transportation (takes no position on Senate Bill 569 and offers the following letter of information for the Committee’s consideration.

SB 569 alters certain requirements for a controller relating to the collection of personal data and generally relates to the collection and processing of personal data. The State Highway Administration (SHA) strongly supports the protection of individual privacy rights and the responsible use of data. The SHA uses data for critical transportation operations and public safety purposes in the State.

The SHA maintains a data-sharing relationship with the University of Maryland (UMD) specifically through their research centers including the Center for Advanced Transportation Technology (CATT) Lab and the Maryland Transportation Institute (MTI). These partnerships provide SHA with data products and analytical tools unavailable through other sources at the same quality and price.

The SHA uses the data for several purposes, including:

- Monitoring real time travel speeds and identifying traffic slowdowns. This enables our Coordinated Highways Action Response Team to coordinate emergency responses and provide proactive safety interventions.
- Understanding aggregated trip origins and destinations. This data allows SHA to understand where travelers are going, which assists with long range transportation planning, including evaluating major capital projects.
- Identifying high risk locations and any contributing factors to crashes. This type of data has driven the placement of our Pedestrian Action Safety Plan corridors and other safety initiatives in high-risk locations around the state.

In all cases, the data used from UMD is anonymized and aggregated prior to delivery to SHA. No data contains personally identifiable information such as names, home addresses, or Social Security numbers. The data represents statistical summaries, such as average travel speeds on a road segment.

The Honorable Pam Beidle  
Page Two

SHA is committed to safeguarding Marylanders while preserving the state's capacity to operate a safe and efficient transportation network. The CATT lab has experienced decreased participation from vendors due to data privacy changes implemented last legislative session. If the provisions of SB 569 limit the ability of UMD or its commercial data providers to process and share location-derived, aggregated data, many of SHA's current operational and public safety focused capabilities would be significantly impacted. For example, the data provided by UMD supports the operations of SHA's overhead dynamic message signs which provide real-time traffic and safety information to highway users. That system and service would be impacted if UMD and its commercial data providers were unable to provide the necessary data. SHA requests clarification from the Committee to ensure that traffic safety data is not intended to be impacted by the bill's changes to the Maryland Online Data Privacy Act.

The Maryland Department of Transportation respectfully requests the Committee consider this information during their deliberations of Senate Bill 569.

Respectfully submitted,

April Moeller  
Director  
Office of Government Affairs  
Maryland State Highway Administration  
410-210-5780

Matthew Mickler  
Director  
Office of Government Affairs  
Maryland Department of Transportation  
410-865-1090