

Written Testimony on HB 693

Submitted to the Maryland House Committee
On behalf of the Age Verification Providers Association (AVPA)

The Age Verification Providers Association (AVPA) appreciates the leadership of the Maryland General Assembly in advancing protections for minors online through Maryland House Bill 693. AVPA represents companies that develop privacy preserving age assurance technologies used by platforms and online services globally, and we welcome the opportunity to provide technical input to support the bill's objectives.

We support the bill's central requirement that commercial entities distributing obscene material implement reasonable age verification methods before granting access. Effective age assurance is an essential component of modern online child safety policy, and Maryland's effort reflects growing national momentum toward meaningful protections for minors online.

Several aspects of the bill are particularly strong. The inclusion of multiple verification options including government issued identification or other commercially reasonable methods provides users with choice and avoids requiring universal use of government ID. Courts have previously recognized the importance of offering alternative verification paths in this area. We also support the bill's clear data minimization requirement prohibiting the retention of identifying information after access has been granted or denied, which aligns with modern privacy preserving design principles.

AVPA respectfully recommends several clarifications that would strengthen the bill's effectiveness while ensuring that the law remains future proof as technology evolves.

First, the current definition of reasonable age verification methods includes a pathway relying on public or private transactional data. While transactional data can be useful in some verification contexts, limiting the definition to this category may unintentionally exclude emerging privacy preserving techniques such as facial age estimation, behavioral liveness checks, or other novel methods that can reliably determine whether a user is above an age threshold without relying on identity documents or transactional records. We recommend adjusting the language to allow any commercially reasonable method capable of reliably verifying age rather than restricting the methods to those based on transactional data.

Second, the bill's definition of substantial portion as more than one third of a website's material could benefit from clarification. Without guidance on how this proportion is measured, websites may attempt to dilute adult material with large volumes of unrelated content to remain below the threshold. Clarifying that the measurement applies to material viewed or downloaded by users would reduce opportunities for such circumvention.

Third, AVPA recommends strengthening the overall reliability of compliance mechanisms by encouraging independent audit and certification of age assurance systems against recognized international standards. Independent oversight helps ensure that systems deployed under the law are both effective and privacy protective.

Finally, the legislation may benefit from recognizing the importance of interoperable age assurance solutions, including emerging token based systems that allow users to prove they meet an age threshold without repeatedly submitting personal information to multiple services. Encouraging interoperable approaches can improve privacy, reduce friction for users, and support a competitive marketplace for age assurance technologies.

Maryland has the opportunity to set a strong example by ensuring that the protections envisioned by HB 693 are backed by robust, privacy preserving, and technologically neutral age assurance frameworks. AVPA stands ready to work with legislators and staff to help refine the bill and support successful implementation.

Respectfully submitted,

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