



Opinion: Bill would give auto dealers too much control over customers' information

By Chris Apgar, 4/9/19

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Recently California passed a data privacy law to protect consumers. Washington state will likely have a new privacy law in a few weeks. But here in Oregon, our Legislature is heading in a different direction as it considers a bill that should be titled the "Breach Waiting to Happen Act." As a data protection expert and cybersecurity professional, I hope that our legislators are wise and kill this idea quickly.

A lay person might read House Bill 3152 as authorizing standard information-sharing arrangements between auto manufacturers, dealers and the companies that build specialized computer systems for the industry. Nothing could be further from the truth. Instead, this bill would require very secure and highly-regulated computer networks to become less secure – so much less secure that millions of Oregonians' Social Security and credit card numbers would be at a greater risk of being stolen.

Apparently auto dealers and manufacturers disagree about who owns the personal information that consumers share with dealers when we test drive and buy cars. Dealers want more ability to control consumers' data, so they have asked the Legislature to grant them unprecedented rights to authorize anyone they choose to access the industry computer systems and do anything they choose with this data. I'm not sure how this solves the dealers' concern about how manufacturers access their data, but I know this solution is far from sound privacy and security practice.

Currently, these sophisticated computer systems are like fortresses – accessible only to people who need data for a clearly defined purpose like if your car is recalled or you need to retrieve your repair records or get a new title. This bill would end that protection – as computer system owners would not even be permitted to deny access to dealers' designated people who lack technical training. Nor does the bill limit what people can do with this data, so we should all prepare for our most sensitive personal and financial data to be sold, shared, and traded and more available to spammers and identity thieves – thanks to HB 3152.

Every day I advise health care clients how to keep data private and secure. Companies spend billions of dollars improving security and globally we are seeing new laws and proposals to protect consumers. But here in Oregon the Legislature will reverse that trend, contrary to everything consumer protection advocates, data privacy and cybersecurity experts, and law enforcement is urging us to do. Are auto dealers really that powerful with our politicians, or will our officials read this bill before they vote, and then choose the path of more security and protecting voters?