

Testimony of Dawn Bonder  
HB 3152  
Joint Committee on Transportation  
May 1, 2019

Co-Chairs Beyer and McKeown, Members of the Committee:

I am Dawn Bonder, appearing on behalf of Reynolds and Reynolds and CDK.

As Senior Policy Advisor to Governor Kulongoski, head of the Oregon Regional Extension Center for Health IT and CEO of a statewide health insurance company, I spent many years working to ensure that Oregonians' personal and health information is managed securely and with the utmost respect for consumer privacy.

I am very concerned that HB 3152 will, in a manner of speaking, reverse what I – and this legislature and Oregon's technology industries – have accomplished to protect privacy and confidential business data. I am confident, as is every cybersecurity and privacy expert I've spoken with, this bill will increase the risk of data breach and put Oregon in the awkward position of being contrary to global, federal, and state trends toward modern cybersecurity and privacy policies.

Every decision about data sharing must balance convenience benefits against security risks. Logins, passwords, and other security measures may be inconvenient, but if we make access to data easy and convenient, then we let the hackers and thieves win.

Auto dealers' computer systems house terabytes of confidential consumer and business information. Many federal and state laws demand integrity and vigilance with respect to data management, and for good reason. Recently, DealerBuilt, one of the dealer management systems in the nation, exposed many thousands of consumer records to the open internet where they could be easily accessed by hackers and data thieves. In May of 2018, DealerBuilt, agreed with the NJ Attorney General<sup>1</sup> to improve its security processes; including an agreement to implement access control policies and enforcement mechanisms to approve and disapprove third-party access to its system and the data it hosts.

In contrast, this Committee is considering a bill that will require DMSs to permit *anyone designated by an automobile dealer* to access the system, and it will prohibit DMSs from requiring that these third parties be monitored, use logins and passwords, or treat consumer data with appropriate respect.

While in the Governor's Office I worked with people who could no longer get credit, housing, insurance, or employment because their personal data had been compromised, and their credit ratings ruined. It can be devastating. I urge you to read the words of this bill and to understand the gravity of mandating that third parties get system-level access, of prohibiting technological protections, and permitting unfettered copying, sharing, and even selling of consumer and business data.

We should all prepare for the backlash when Oregonians' data is stolen and their credit records are devastated.

Please oppose this legislation.

Thank you.

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<sup>1</sup> [https://nj.gov/oag/newsreleases18/LightYear-Dealer-Technologies-LLC-dba-DealerBuilt\\_Consent-Order.pdf](https://nj.gov/oag/newsreleases18/LightYear-Dealer-Technologies-LLC-dba-DealerBuilt_Consent-Order.pdf)