

HB 3152 B STAFF MEASURE SUMMARY**Carrier:** Rep. Evans**Joint Committee On Transportation****Action Date:** 05/22/19**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**House Vote****Yeas:** 7 - Evans, Findley, Lewis, McKeown, McLain, Noble, Witt**Senate Vote****Yeas:** 4 - Bentz, Beyer, Frederick, Gelser**Exc:** 1 - Boquist**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Patrick Brennan, LPRO Analyst**Meeting Dates:** 5/1, 5/22**WHAT THE MEASURE DOES:**

Specifies authority and limits of dealer management system providers. Specifies duties of authorized integrator. Authorizes dealer management system provider to condition a dealer's or authorized integrator's access to protected dealer data based on compliance with security standards, require express written authorization from a dealer for an integrator to gain access, and deny access to a dealer for failure to pay amount due under a lease, contract, or other agreement. Prohibits certain actions by dealer management system providers to limit or prohibit dealers or integrators from receiving, protecting, storing, copying, sharing, or using protected dealer data and declares any term or condition that conflicts with this provision null and void. Outlines conditions authorized integrator must meet to access data. States that dealer management system providers, dealers, and authorized integrators are not liable for the actions of the other parties. Defines terms. Applies to contracts or other agreements entered into or renewed on or after the effective date.

ISSUES DISCUSSED:

- Similar legislation passed in Arizona and Montana
- Dealer and integrator access to data
- Purpose and function of dealer management systems
- Other entities besides automobile dealers that utilize dealer management systems
- Importance of protecting data integrity
- Cost assessed to dealers and integrators for access to information
- Work group process and outcomes

EFFECT OF AMENDMENT:

Replaces original measure.

BACKGROUND:

Vehicle dealers generate, gather, and store data regarding vehicles they buy and sell. Dealers also collect data on the purchasers of those vehicles. In Oregon, any entity, public or private, that holds Oregon consumer data is required to notify any consumer whose personal information was subject to a breach of security. If more than 250 consumers were affected by a data breach, the business or agency must also notify the Oregon Attorney General. In 2018, there were at least 72 data breaches that were reported to the Oregon Attorney General.

House Bill 3152-B clarifies the relationship between vehicle dealers, authorized integrators that work with vehicle dealers to perform specified functions such as registration and titling of vehicles, and dealer management systems that host and secure dealer data and other data related to the financing and ownership of vehicles.