

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the establishment of a motor vehicle privacy database.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. 1885

To support the development of highly automated vehicle safety technologies, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. MARKEY

Viz:

- 1 At the appropriate place, insert the following:
- 2 **SEC. ____ . PRIVACY PROTECTIONS FOR USERS OF MOTOR**
- 3 **VEHICLES.**
- 4 ~~(c) PERSONALLY IDENTIFIABLE INFORMATION DE-~~
- 5 ~~FINED.— In this section, the term “personally identifiable~~
- 6 ~~information” means any information about an individual,~~
- 7 ~~or any information that is linked or reasonably linkable~~
- 8 ~~to an individual, including the following:~~
- 9 (1) ~~The name of a user of a motor vehicle.~~
- 10 (2) ~~The address of a user of a motor vehicle.~~
- 11 (3) ~~The geographical location of the motor vehi-~~
- 12 ~~cle.~~

1 ~~(4) A photograph, video, or audio recording,~~
2 ~~that contains the image or voice of a user of a motor~~
3 ~~vehicle.~~

4 ~~(5) Indirect identifiers, including a motor vehi-~~
5 ~~cle user's date of birth, place of birth, Social Secu-~~
6 ~~rity number, biometric record, telephone number,~~
7 ~~credit card account number, insurance information,~~
8 ~~persistent identifier, email address, social media ad-~~
9 ~~dress, or other electronic address.~~

10 ~~(6) An aggregate or de-identified data of a~~
11 ~~user of a motor vehicle that, through reasonable ef-~~
12 ~~fort, is capable of being disaggregated or recon-~~
13 ~~structed to the point that an individual user of a~~
14 ~~motor vehicle can be identified.~~

15 ~~(7) Any data of a user of a motor vehicle or~~
16 ~~other information that, alone or in combination, is~~
17 ~~linked or linkable to a specific user of a motor vehi-~~
18 ~~cle that would allow a reasonable person, who does~~
19 ~~not have personal knowledge of the relevant cir-~~
20 ~~cumstances, to identify a user of a motor vehicle~~
21 ~~with reasonable certainty.~~

22 ^a
(V) MOTOR VEHICLE PRIVACY DATABASE.—Begin-
23 ning not later than 1 year after the date of the enactment
24 of this Act, the Administrator of the National Highway
25 Traffic Safety Administration shall—

1 (1) create a publicly accessible and easily
2 searchable online database that contains the infor-
3 mation described in subsection (c); and

4 (2) place a ~~clear and conspicuous~~ link to the
5 database described in paragraph (1) on the home
6 page of the National Highway Traffic Safety Admin-
7 istration's website.

8 (c) CONTENTS.—The database described in sub-
9 section (b)(1) shall contain—

10 (1) a description of the information, including
11 personally identifiable information, that will be col-
12 lected about individuals during the operation of
13 motor vehicles;

14 (2) an explanation of how the information re-
15 ferred to in paragraph (1), and the conclusions
16 drawn from such information, will be used, disclosed,
17 and otherwise handled, including—

18 (A) how the collection or retention of such
19 information that is unrelated to the operation
20 of the motor vehicle use will be minimized;

21 (B) the period during which such informa-
22 tion will be retained; and

23 (C) when and how such information, in-
24 cluding information no longer relevant to the
25 specified use, will be destroyed;

1 (3) steps that will be used to protect against
2 the unauthorized disclosure of any personally identi-
3 fiable information, such as the use of encryption
4 methods and other security features; and

5 (4) the privacy policies of manufacturers of
6 motor vehicles, including whether consumers will
7 have the right to stop the collection, use, distribu-
8 tion, or sale of their personally identifiable informa-
9 tion.