



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 9, 2019

GOV. MSG. NO. 1376

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith HB702 HD1 SD2, without my approval and with the statement of objections relating to the measure.

HB702 HD1 SD2

RELATING TO SATELLITE NAVIGATION
TECHNOLOGY.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 9, 2019

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 702

Honorable Members
Thirtieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 702, entitled "A Bill for an Act Relating to Satellite Navigation Technology."

The purpose of this bill is to prohibit the sale or offering for sale of location data that is recorded or collected by a satellite navigation technology-equipped device without the explicit consent of the individual who is the primary user of the device.

This bill is objectionable because it attempts to regulate a complex national industry without sufficient and appropriate wording to ensure consistent compliance and enforcement. The lack of clarity in this bill as currently drafted will lead to ambiguity, confusion, and unintended consequences should it become law.

During the interim, the administration will work with the legislature through the task force created in "House Concurrent Resolution 225, Convening a Task Force to Examine and Recommend Laws and Regulations to Update Privacy Law" to provide recommendations to the legislature to ensure that appropriate legislation can be introduced next session to address this important issue.

For the foregoing reasons, I am returning House Bill No. 702 without my approval.

Respectfully,



DAVID Y. TGE
Governor of Hawai'i

VETO

H.B. NO.

702
H.D. 1
S.D. 2

HOUSE OF REPRESENTATIVES
THIRTIETH LEGISLATURE, 2019
STATE OF HAWAII

A BILL FOR AN ACT

RELATING TO SATELLITE NAVIGATION TECHNOLOGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that technology is
2 rapidly evolving, often faster than society is aware. One
3 increasingly widespread technology application is the use of
4 satellite navigation technology, such as the global positioning
5 system, to pinpoint a location. Many types of satellite
6 navigation systems are used worldwide, including the BeiDou
7 navigation satellite system, Galileo navigation satellite
8 system, and GLONASS navigation satellite system. Satellite
9 navigation technology is widely used in devices such as
10 smartphones, tablets, personal computers, vehicles, and
11 smartwatches.

12 The legislature further finds that three in every four
13 people in the United States have a smartphone, which are usually
14 equipped with satellite navigation technology. Certain
15 companies have been found to record, collect, and preserve data
16 containing the location of devices equipped with this
17 technology. When location data is collected from a smartphone



1 or other device that people tend to keep on or near their
2 person, the location data essentially becomes a permanent record
3 of a person's movement and daily life.

4 The legislature further finds that in recent years,
5 companies that record, collect, and preserve location data have
6 sold this location data, often without the knowledge or consent
7 of the person who is the primary user of the satellite
8 navigation technology-equipped device. The legislature
9 acknowledges that the sale or offering for sale of location
10 data, which is essentially a permanent record of a person's
11 movement and daily life, without the person's knowledge or
12 consent, is an unfair and deceptive practice.

13 Accordingly, the purpose of this Act is to prohibit the
14 sale or offering for sale of location data collected using
15 satellite navigation technology without the explicit consent of
16 the individual who has primary custody of the satellite
17 navigation technology-equipped device.

18 SECTION 2. Chapter 481B, Hawaii Revised Statutes, is
19 amended by adding a new section to part I to be appropriately
20 designated and to read as follows:



HB No. 702, HD 1, SD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives





Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 9, 2019
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the
Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate