

JAN 23 2025

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# A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1           SECTION 1. The legislature finds that automakers have  
2 begun collecting personal data from drivers' vehicles and are  
3 now selling collected information to affiliate companies,  
4 insurance partners, data brokers, and other third parties  
5 without owner knowledge or consent.

6           The legislature also finds that, according to a report from  
7 the New York Times, automakers such as General Motors, Honda,  
8 Toyota, and Kia recently began including features in their  
9 vehicle-connected mobile applications that trade users' driving  
10 behaviors. The existence of data collecting and sharing  
11 partnerships between automakers, data brokers, and insurance  
12 companies often remains completely unknown to drivers whose data  
13 are being collected and sold. Some drivers with vehicles made  
14 by General Motors have stated that they were still being tracked  
15 even when the tracking feature on their vehicle was turned off.  
16 As a result, drivers' insurance rates have increased due to  
17 driver data being sold to data brokers and insurance companies.



1           Accordingly, the purpose of this Act is to prohibit  
2 automakers from collecting, sharing, or selling driver data to a  
3 third party without the express consent of the driver.

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

7           "~~S481B-~~   Sale of driver data without consent; prohibited.

8           (a) No person, in any manner or by any means, shall collect,  
9 share, sell, or offer for sale any driver data that is recorded  
10 or collected through any means by a motor vehicle without the  
11 explicit consent of the individual who is the owner or lessee of  
12 the motor vehicle.

13           (b) For the purposes of this section:

14           "Consent" means the prior express opt-in authorization for  
15 a specific use that may be revoked by the individual at any  
16 time.

17           "Driver data" means any information related to a person  
18 operating a motor vehicle that is collected from a user's  
19 interactions with a motor vehicle, which may include:



1       (1) Personal or personally identifiable information and  
2       other sensitive details about a user's actions and  
3       movements;

4       (2) Patterns of driving behavior, such as speeding,  
5       frequent stops, and aggressive braking;

6       (3) Geolocation data, such as vehicle tracking  
7       information, routes taken, and location history; and

8       (4) Information about a vehicle's operation and usage  
9       patterns, such as frequent driving times, routes, or  
10       destinations.

11       "Owner" has the same meaning as defined in section 291C-1.

12       "Sale" means selling, renting, releasing, disclosing,  
13       disseminating, making available, transferring, or otherwise  
14       communicating orally, in writing, or by electronic or other  
15       means, a user's driver data to another business or a third party  
16       for monetary or other valuable consideration. "Sale" does not  
17       include the releasing, disclosing, disseminating, making  
18       available, transferring, or otherwise communicating orally, in  
19       writing, or by electronic or other means, a user's driver data  
20       for the purpose of responding to an emergency."

21       SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Cen*



# S.B. NO. 1286

**Report Title:**

Data Privacy; Driver Data; Personal Information; Consumer Protection; Unfair and Deceptive Practices; Motor Vehicles

**Description:**

Prohibits the collection, sale, or disclosure of any driver data that is obtained by a motor vehicle or other connected car service, feature, or application to any third-party without the explicit consent of the owner or lessee of the vehicle.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

