

January 28, 2020

The Honorable Delores G. Kelley, Chair
The Honorable Brian J. Feldman, Vice-Chair
Senate Finance Committee, Maryland State Senate
Miller Senate Office Building, 3 East Wing
11 Bladen Street
Annapolis, MD 21401 - 1991

Dear Chair Kelley and Vice-Chair Feldman:

EPIC writes in support of Senate Bill 34: Prohibition of Scanning or Swiping Identification Cards and Driver's Licenses and its companion legislation in the House filed by Delegate Brian Crosby.

EPIC is a public interest research center established in 1994 to focus public attention on emerging privacy and civil liberties issues. EPIC is a leading advocate for civil liberties and democratic values in the information age, and works closely with a distinguished Advisory Board. EPIC has filed several amicus briefs urging federal courts to protect drivers' privacy.¹

Far more needs to be done to safeguard the personal information American consumers. Harmful data breaches have become commonplace for American consumers and action must be taken to prevent future breaches and to protect consumers in the event of a data breach.

Passage of SB34 would be an important step towards protecting Maryland residents from the risks of data breach. The best defense against data breaches is not collecting and retaining personal data in the first place. The reasonable restrictions against the scanning or swiping of identification cards and drivers licenses proposed in this bill will reduce the amount of sensitive personal data stored by companies, thus reducing the risk of data breaches.

We ask that this letter and the accompanying article be entered in the hearing record. EPIC looks forward to working with the Committee on these issues of vital importance to the American public.

Sincerely,

/s/ Marc Rotenberg
Marc Rotenberg
EPIC President

/s/ Caitriona Fitzgerald
Caitriona Fitzgerald
EPIC Policy Director

¹ See, e.g., *McDonough v. Anoka County*, 799 F.3d 931 (8th Cir. 2015); *Maracich v. Spears*, 133 S. Ct. 2191 (2013); *Reno v. Condon*, 528 U.S. 141 (2000); *Gordon v. Softech Int'l Inc.*, 726 F.3d 42 (2d Cir. 2013); *Kehoe v. Fidelity Fed. Bank & Trust*, 421 F.3d 1209 (11th Cir. 2005).