

ASSEMBLY SCIENCE, INNOVATION AND TECHNOLOGY
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4723

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 23, 2023

The Assembly Science, Innovation and Technology Committee reports favorably and with committee amendments Assembly Bill No. 4723.

As amended and reported, this bill requires a motor vehicle dealer that takes possession of a motor vehicle from a consumer for the purpose of resale or lease offer to delete the consumer's personal information stored in a motor vehicle.

Additionally, as amended and reported, the bill specifies that when deleting consumer personal information stored in the motor vehicle, the motor vehicle dealer is required to perform data clearing protocols in accordance with the Guidelines for Media Sanitization developed by the National Institute of Standards and Technology using techniques specified by the vehicle manufacturer to overwrite data or use a menu option to reset the device to original factory settings.

This bill also permits a motor vehicle dealer to charge a reasonable fee for deleting the consumer's personal information in accordance with the requirements of this bill.

A motor vehicle dealer who violates the provisions of this bill is subject to a civil penalty of \$500 for a first offense, and \$1,000 for any subsequent offense, which may be collected and enforced by the Director of the Division of Consumer Affairs.

COMMITTEE AMENDMENTS:

The committee amendments:

- Require motor vehicle dealers to offer to delete certain personal information rather than require them to delete the information;
- Specify that a motor vehicle dealer is to delete a consumer's personal information by performing a data clearing protocol in accordance with the Guidelines for Media Sanitization developed by the National Institute of Standards and Technology and using techniques specified by the vehicle manufacturer to overwrite data or by using a menu option to reset the device to original factory settings;

- Permit a motor vehicle dealer to charge a reasonable fee for deleting the consumer's personal information; and
- Replace the synopsis to accurately reflect the bill as amended.