

# SENATE COMMERCE COMMITTEE

## STATEMENT TO

### **SENATE, No. 2740**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 4, 2023

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2740.

As amended, this bill requires motor vehicle dealers to offer to delete, for a reasonable fee, certain personal information from a motor vehicle computer system prior to resale.

Under the bill, a motor vehicle dealer who takes possession of a motor vehicle from a consumer is required to offer to delete the consumer's personal information in the motor vehicle by performing data clearing protocols 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 prior to resale or lease. The information to be deleted includes, but is not limited to, navigation history, paired phones, and garage door codes.

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.

As amended and reported, Senate Bill No. 2740 is identical to Assembly Bill No. 4723 (1R).

#### COMMITTEE AMENDMENTS

The committee amended the bill to:

(1) require motor vehicle dealers to offer to delete certain personal information rather than require them to delete the information;

(2) 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; and

(3) permit a motor vehicle dealer to charge a reasonable fee for deleting the consumer's personal information.