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# 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:



1           "§481B- Sale of location data recorded or collected by  
2 satellite navigation technology-equipped devices; prohibited.

3       (a) No person shall sell or offer for sale location data that  
4 is recorded or collected by a satellite navigation technology-  
5 equipped device without the explicit consent of the individual  
6 who is the primary user of the satellite navigation technology-  
7 equipped device.

8           (b) As used in this section, "satellite navigation  
9 technology" means technology that uses communication between  
10 electronic receivers and satellites to determine geolocation and  
11 time information, including but not limited to the global  
12 positioning system."

13           SECTION 3. This Act does not affect rights and duties that  
14 matured, penalties that were incurred, and proceedings that were  
15 begun before its effective date.

16           SECTION 4. New statutory material is underscored.

17           SECTION 5. This Act shall take effect on July 1, 2019.



**Report Title:**

Satellite Navigation Technology; Unfair and Deceptive Practices;  
Location Data

**Description:**

Prohibits the sale or offering for sale of location data collected using satellite navigation technology without the explicit consent of the individual who is the primary user of the satellite navigation technology-equipped device. (SD2)

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

