

Introduction

As vehicles are equipped with more technological features that collect, gather, and disseminate personal data, there are calls for an increase in the protection of that data. As a result, several states have taken the lead by implementing legislation to regulate personal data, including the personal data generated from the use and operation of vehicles. However, the scope of existing legislation is neither uniform nor comprehensive with respect to the issues pertinent to the collection, storage, and dissemination of data obtained actively and passively from vehicles.

Common Data Protection Rights and Duties Found in Legislation

- Right to Deletion
- Right to Correct
- Right to Opt-out
- Right to Access
- Duty of Transparency
- Duty of Data Minimization

Implications for Future Directions

- Clarification is needed as to who owns the data generated from personal vehicles
- Lack of uniformity across states makes understanding compliance requirements difficult
- More research is needed into what the impact of the protection measures are for consumers and the industry (manufacturers, operators, third-parties, and regulators)

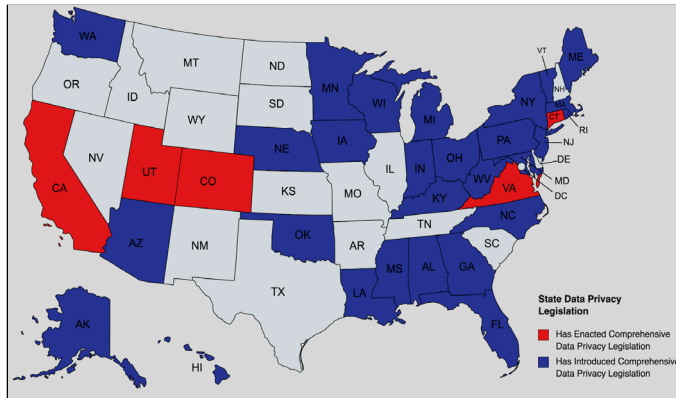


Figure 2: State-level comprehensive data privacy legislation map

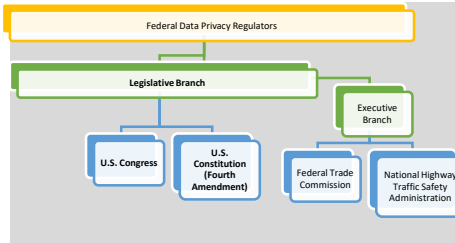


Figure 1: Federal data privacy regulators

Selected References

- National Conference of State Legislatures, State Laws Related to Digital Privacy (2022)
- U.S. Government Accountability Office (USGAO), *Vehicle Data Privacy: Industry and Federal Efforts Under Way, but NHTSA Needs to Define its Role*, GAO-17-656 (July 2017)
- The International Association of Privacy Professionals, US State Privacy Legislation Tracker (2022)
- Zhang, S. Note: *Who Owns the Data Generated by Your Smart Car?* 32 HARV. J. LAW & TEC 299, 303 (Fall 2018).