



IHS Markit™

April 9, 2018

To: Senate Committee on Economic Development, Housing and General Affairs

Re: Opposition to H.764

On behalf of IHS Markit (IHSM) and its subsidiary R. L Polk & Co., I am writing to express my concerns and opposition to H.764 which relates to Data Brokers and consumer protection. While we agree that protection of an individual's personal information is important and necessary; H.764 places an undue burden on industry with little or no impact on consumer fraud.

IHSM provides valuable motor vehicle information and analysis to the automotive industry as well as government agencies. IHSM is the leading provider of recall notifications to virtually all auto makers. IHSM also provides vehicle identification services to businesses and government agencies for fraud prevention. To accomplish this, IHSM (through its automotive division R. L. Polk & Co.) obtains vehicle title and registration information from all U.S. jurisdictions (including the Vermont DMV) and is regulated by each jurisdiction and the Federal Driver's Protection Act (DPPA). IHSM does not obtain highly personal information such as Social Security Number, Credit information or Account Numbers.

Our major concern with this legislation is the overly broad definition of personal information and the unique definition of a 'Data Broker security breach'. The definition of personal information is broad and includes information that is already publically available. A breach of this information (such as name and address alone) could not lead to identity fraud. Further, providing notice of the release of name and address to the Secretary of State's office would provide no consumer benefits but could lead to confusion and unnecessary concern to Vermont residents. In addition, we believe registration as a Data Broker with the Secretary of State's office is an unnecessary and burdensome requirement. This legislation will do little to fight the fraudulent use of personal information.

For these reasons we strongly urge you to reconsider this legislation.

Sincerely,

Dennis Haake
Director, Government Relations
IHS Markit