



Privacy Rights Clearinghouse



NATIONAL CENTER FOR LESBIAN RIGHTS



August 26, 2022

The Honorable Lori Wilson
California State Capitol
Sacramento, California 95814

Re: AB 984 – as amended 8/25/2022:
NEUTRAL

Dear Assemblymember Wilson:

The undersigned organizations are pleased to inform you that we are withdrawing our opposition to your AB 984 in light of the August 25, 2022, amendments prohibiting GPS tracking in digital license plates on passenger vehicles. We thank you for agreeing to this amendment to ensure that these license plates cannot be used to track domestic violence survivors, LGBTQ teens, people coming to California for healthcare banned in their state, and others. We also appreciate you working with us to ensure an appropriate balance between ensuring the DMV has time to replace existing GPS license plates and speedily removing them from circulation by having the recall and replacement of these GPS plates be completed by 2024. Thank you for also reinstating the requirement that participation in these pilot programs be voluntary on the part of vehicle owners rather than at the discretion of the DMV.

While we appreciate the recent amendments and are now neutral on the bill, we urge you to continue working on the measure to address the remaining privacy, policing, and equity concerns that should be addressed prior to making permanent the digital license plate and digital vehicle registration card programs by:

- Restricting all GPS tracking in digital car registration apps. While the amendments would prohibit vehicle location tracking for digital car registration apps for passenger vehicles, they do not prohibit location tracking unrelated to the vehicle and therefore leave open the possibility of the app tracking the location of the cell phone at all times.
- Restricting the information a vendor would be allowed to gather to only that which is strictly necessary for showing proof of registration compliance.
- Removing the requirement that alternative license plates be readable by automated license plate readers (ALPRs). Metal license plates are not required to be read by this surveillance technology, and alternative license plates should not be required to be readable either.
- Reinstating the bill's previous language ensuring that a device that malfunctioned or failed could not be the basis for any government action relating to the user, including stopping or detaining the user or subjecting the user to any criminal or civil fines, fees, or punishments rather than deeming a device malfunction or failure a correctable violation. If the vehicle registration is current, the driver should not be penalized for a failure on the vendor or device's part. Additionally, traffic stops like these can have implications far beyond the tickets – including serving as the basis for a pretextual stop, which are [disparately used against drivers of color](#), and the [risk of a potentially deadly encounter with police](#).
- Adding a timeline for when a malfunctioning or failed device must be replaced by and requiring the vendor cover the cost of a car rental if the alternative license plate malfunctions in a way that it no longer displays both the current registration status and the license plate number.

Sincerely,

ACLU California Action
 Anti Police-Terror Project
 California Partnership to End Domestic Violence
 Community United Against Violence
 Consumer Federation of America
 Consumer Federation of California
 Electronic Frontier Foundation
 End Technology-Enabled Abuse
 GSA Network
 Justice Teams Network
 National Center for Lesbian Rights
 National Center for Youth Law
 National Network to End Domestic Violence
 Oakland Privacy
 Privacy Rights Clearinghouse
 Safer Streets LA
 Secure Justice
 St. James Infirmary
 TGI Justice Project

Youth Justice Coalition