



# Consumer Data Privacy Protections

Presented to Interim Transportation Committee  
September 16, 2025

# Mission Statement



*Strengthening **trust** in Utah's commercial activities by protecting consumers through education and impartial enforcement*

# Consumer Protection Statutes

- Music Licensing Practices Act
- Utah Consumer Sales Practices Act
- Business Opportunity Disclosure Act
- New Motor Vehicle Warranties Act
- Credit Services Organizations Act
- Charitable Solicitations Act
- Health Spa Services Protection Act
- Telephone and Facsimile Solicitation Act
- Telephone Fraud Prevention Act
- Prize Notices Regulation Act
- Pawnshop, Secondhand Merchandise, and Catalytic Converter Transaction Information Act
- Utah Postsecondary School and State Authorization Act
- Price Controls During Emergencies Act
- Uniform Debt-Management Services Act
- Immigration Consultants Registration Act
- Transportation Network Company Registration Act
- Residential Solar Energy Consumer Protection Act
- Residential Vocational or Life Skills Program Act
- Ticket Website Sales Act
- Ticket Transferability Act
- Maintenance Funding Practices Act
- Utah Consumer Privacy Act
- Vehicle Value Protection Agreement Act
- Utah Commercial Email Act
- Online Dating Safety Act
- Lawyer Referral Consultants Registration Act
- Automatic Renewal Contracts Act
- Utah Minor Protection in Social Media Act
- Artificial Intelligence Applications Relating to Mental Health
- Earned Wage Access Services Act
- Utah Digital Choice Act

# Utah Consumer Sales Practices Act (UCSPA)

Utah Code § 13-11 et seq.



Prohibits suppliers from engaging in deceptive and unconscionable practices in connection with a consumer transaction, whether the act occurs before, during, or after the transaction. Utah Code § 13-11-4(1).



“Consumer transaction[s]” are defined as the marketing and/or selling to “person[s]” products and services that are primarily for personal, family, or household purposes, .... *Id.* § 13-11-3(2).



“Supplier” is broadly defined to include businesses regularly solicit, engage in, or enforce consumer transactions regardless of whether they deal directly with consumers. *Id.* § 13-11-3(5).

# Utah Consumer Privacy Act (UCPA)

*Utah Code 13-61-101*



## Statute's Application to Business

The UCPA specifically applies to controllers and processors who either **conduct business in the state of Utah** or produce a product or service **targeted to consumers who are residents of the state of Utah**.

### Businesses Affected by the UCPA:

**Have an annual revenue  $\geq$  to \$25M and**

**either:**

- Control or process personal data of 100,000 or more consumers during a calendar year,
- **or**
- Derive more than 50% of their gross revenue from the sale of personal data and control or process personal data of 25,000 or more consumers

# Utah Consumer Privacy Act (UCPA)

*Utah Code 13-61-101*

## Business Requirements - Consumer Right to Protect Personal Data

### Under the UCPA, Businesses Must:

- Confirm whether they are processing a consumer's personal data
- Provide access to that data if the business is using it
- Delete that data upon the request of the consumer
- Provide a copy of any data being used
- Allow consumers to correct information (*effective 7/1/2026*)



# Utah Consumer Privacy Act (UCPA)

*Utah Code 13-61-101*



## Business Requirement - Notice to Consumers

**When a consumer seeks to exercise their rights, the business must:**

- Act on a consumer's request within 45 days
- Inform consumers of any action taken upon a request
- Provide consumers with a reasonably accessible and clear privacy notice; and
- Provide consumers with clear notice and an opportunity to opt out of having their sensitive data processed

# Utah Consumer Privacy Act (UCPA)

*Utah Code 13-61-101*

## Business Requirement - Opt-Out for Processing Personal Information

If a business sells a consumer's personal data or uses a consumer's personal data for targeted advertising, the business must inform the consumer about how a consumer may opt out of the:

- Sale of their personal data; or
- The processing of their personal data for targeted advertising

Businesses may not process a consumer's **sensitive data**, which includes **geolocation** without first providing the consumer with clear notice and an opportunity to opt out of having their sensitive data processed.

# Utah Consumer Privacy Act (UCPA)

*Utah Code 13-61-101*

## Businesses Requirement - Accessible Privacy Policy

**Affected businesses must provide consumers with a **reasonably accessible and clear privacy notice** that describes:**

- The categories of personal data processed by the business;
- The purposes for which the personal data are processed;
- How a consumer may exercise their privacy rights;
- The categories of personal data that the business shares with third parties, if any; and
- The categories of third parties, if any, with whom the business shares personal data

# Utah Consumer Privacy Act (UCPA)

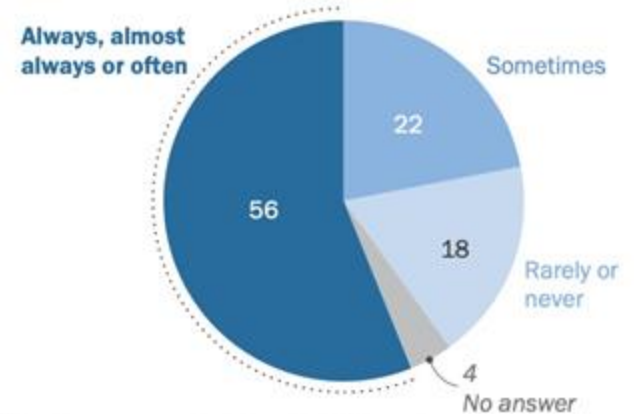
*Utah Code 13-61-101*

## Privacy Policy Accessibility

- Many privacy policies are written at a college level, while the average reading level in the U.S. is notably lower.
- Use of legalistic and technical jargon in privacy policies may impede public accessibility.
- The average person struggles to understand most privacy policies.

### Nearly 6 in 10 Americans frequently skip reading privacy policies

*% of U.S. adults who say they \_\_\_ agree to online privacy policies right away, without reading what the policies say*



Note: Figures may not add up to 100% due to rounding. "No answer" includes those who did not give an answer or who do not use the internet.

Source: Survey of U.S. adults conducted May 15-21, 2023. "How Americans View Data Privacy"

PEW RESEARCH CENTER

# Utah Consumer Privacy Act (UCPA)

Utah Code 13-61-101

## Privacy Policy Accessibility - Continued

The screenshot shows a mobile application interface for 'In-Car Apps & Services'. It features a list of documents with columns for document name, word count, and reading time. A red oval highlights the 'Main Privacy Policy' and 'Main TOS' entries in the list.

Document Name	Word Count	Reading Time
Main Privacy Policy	9,324	47 min
Main TOS	7,936	40 min
Vehicle Owners Privacy Policy	Same	Same
Vehicle Owners TOS	Same	Same
Connected Services/Telematics Privacy Policy	13,903	70 min
Connected Services/Telematics TOS	6,665	44 min
Stelux XM Main Privacy Policy	10,966	55 min
Stelux XM Main TOS	3,943	19 min
Android Auto Main Privacy Policy	6,382	47 min
Android Auto Main TOS	3,402	17 min
Aoda Carplay Main Privacy Policy	4,069	20 min
Aoda Carplay Main TOS	3,404	17 min

**Main Privacy Policy**  
Last updated: 6/27/2024

**Main TOS**  
Last updated: 1/1/2020

9,324  
Reading Level: 16th Grade\*\*\* 47 min

7,936  
Reading Level: 16th Grade\*\*\* 40 min

## Data Privacy Report Vehicle Example

Main privacy policy and terms of service are at a 16th grade reading level with read times over 40 minutes.

# Utah Consumer Privacy Act (UCPA)

*Utah Code 13-61-101*



## **Business Requirement - Security Practices**

**Businesses must establish, implement, and maintain reasonable administrative, technical, and physical data security practices designed to:**

- Protect the confidentiality and integrity of a consumer's personal data, and
- Reduce reasonably foreseeable risks of harm to consumers relating to the processing of their personal data

# Interplay Between Consumer Protection Law and Vehicle Data Privacy

## Examples of Potential Gaps related to Vehicles

- The ability for a consumer request alterations of driving data gathered by insurers, manufacturers, third party companies, etc.
- The ability of controllers to differentiate driving data between consumers (sharing a household vehicle, rental cars, passenger trips, etc.)
- The effectiveness of privacy policies versus a consumer's ability to read and understand the terms and conditions
- Sharing of sensitive information including geolocation or conversations while in the vehicle
- Additional research recommended as it relates to all vehicles

# Office of the Attorney General and Division of Consumer Protection

## 2025 Report Evaluating the Utah Consumer Privacy Act

### Recommendations to Legislature Regarding the UCPA include

- The right to delete all personal data, rather than just the data provided by the consumer;
- The right to require review of wholly automatic decision making that adversely affects the consumer;
- Requiring a consumer's opt-in for processing sensitive data;
- Requiring that controllers state purpose limitations and practice data minimization;
- Authorizing universal opt-out mechanisms



[Full report can be found here](#)

# Interplay Between Consumer Protection Law and Vehicle Data Privacy

## A Path Forward for Utah

### Recap

- Utah has consumer privacy laws
- Vehicle data risks are real
- **Problem:** There may be gaps between current laws and vehicles data risks

### Proposal

- Convene stakeholders to (Sept.-Nov) assess current laws vs. vehicle data risks

# Interplay Between Consumer Protection Law and Vehicle Data Privacy



## Why This Matters

**Goal:** Map gaps, return with concrete policy recommendations

## Approach

- Protect Utahns without slowing innovation
- Ensure accountability in how vehicle data is collected, used, and shared
- Build on Utah's leadership in consumer & government data privacy