



Consumer Data Privacy Protections

Presented to Interim Transportation Committee
November 19, 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

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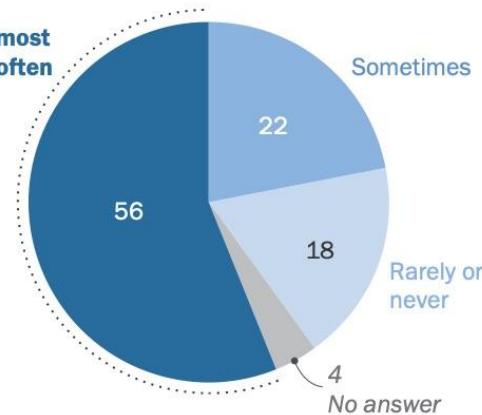


Privacy Policy Accessibility

- 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



Policy	Words	Reading Level	Approx. Read Time
Main Privacy Policy	75,274	16th Grade***	47 min
Main TOS	7,936	16th Grade***	40 min
Vehicle Owners Privacy Policy	10	Same	Same
Vehicle Owners TOS	13,963	Same	Same
Connected Services/Telematics	13,963	15th Grade***	70 min
Privacy Policy	9,324	16th Grade***	55 min
Connected Services/Telematics TOS	8,865	13th Grade***	44 min
Sirius XM Main Privacy Policy	10,098	12th Grade***	55 min
Sirius XM Main TOS	3,843	11th Grade***	19 min
Android Auto Main Privacy Policy	9,262	8th Grade***	47 min
Android Auto Main TOS	3,482	11th Grade***	17 min
Apple CarPlay Main Privacy Policy	4,099	13th Grade***	20 min
Apple CarPlay Main TOS	3,404	15th Grade***	17 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



A Report Evaluating the Utah Consumer Privacy Act

By the Utah Attorney General and the Utah Division of Consumer Protection

Submitted July 1, 2025

Attorney General Derek Brown ("Attorney General") and the Division of Consumer Protection ("Division") submit this report concerning the effectiveness of the Utah Consumer Privacy Act, Utah Code sections 13-61-101 to -404, ("UCPA" or "Act") to the Business and Labor Interim Committee ("Committee") of the Utah State Legislature.

Executive Summary

The UCPA was cutting edge in 2022 when it granted consumers specific privacy rights in their personal data. However, other states' privacy laws have been implemented, and there is now an opportunity for Utah law to be amended to achieve similar protections and benefits to Utah consumers and their privacy. Also, statutory changes could make the UCPA more effective and efficient to administer.

[Full report can be found here](#)

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