



NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Emily O'Brien

District 42

5021 West Elm Court
Grand Forks, North Dakota 58203

eobrien@nd.gov

COMMITTEES:

Industry, Business and Labor
Transportation

January 28, 2021

House Bill 1368
House Transportation Committee
Representative Ruby, Chairman
January 28, 2021

Chairman Ruby and members of the House Transportation Committee:

My name is Emily O'Brien, from District 42, in Grand Forks, North Dakota.

I had a constituent reach out to me with some concerns. He purchased a vehicle for his 16-year-old daughter from a local used car sales lot. He brought the vehicle in to get some work done. The gentleman working on the car asked if he was aware that there was a GPS tracker installed in the vehicle. He explained that he was not aware that the GPS tracker was installed in the vehicle – and was not disclosed when he was purchasing the vehicle. When he went to the car sales lot, the individual that owns the lot had explained to him that yes, he did have a GPS tracker installed on the car and has them installed on all of the vehicles in his lot. The individual expressed that the way the North Dakota Century Code is written, they do not need to disclose that they have installed a GPS tracker on the vehicle. The owner of the car sales lot expressed that the reason for putting the GPS tracker on the car is that they sell cars to individuals sometimes with little to no credit, sometimes those individuals' default in payments. Having the GPS tracker allows the car salesman to repossess the car if the buyer were to default. Additionally, if the buyer pays the vehicle off – the GPS tracker would remain on the vehicle without the buyer's knowledge or consent.

House Bill 1368 is addressing these concerns by looking for a requirement that the individual selling the vehicle must provide disclosure to the buyer that there is a GPS tracker on the vehicle and that they will remove the GPS tracker once the vehicle has been paid off.

I have worked on some amendments with the Automobile Dealers Association of North Dakota to do some wordsmithing on this bill, which you have in front of you. See amendments 21.0852.01002.

I hope the committee will give HB 1368 a favorable consideration.