

Technology and Privacy Concerns

Radio Frequency Identification (RFID)

RFID is a tagging-and-tracking technology that uses tiny electronic devices equipped with antennae, which can transmit identifying information to a remote reader. The information gathered by the reader can be stored or matched to an existing record in a database. Most RFID tags can be read at a distance and often without the knowledge of the person carrying the RFID tag. RFID are used in work badges, consumer loyalty cards used at grocery stores, credit cards, and many items consumers may not realize. A store can scan the ID tag in a purse or wallet when the consumer walks through the door, track where the person is in the store, and when the person checks out, combine the store provided RFID with the information provided when the customer pays with a credit card and create a consumer profile all without the consumer being alerted to the fact that it is happening.

In 2008, HB 1031 was offered to address privacy concerns related to RFID. The new law makes it a felony for a person to intentionally scan another person's RFID remotely, without that person's prior knowledge and consent, for the purpose of fraud, identity theft, or other illegal purpose. Stores are still allowed to scan their RFID tags for marketing purposes.

The enhanced Washington drivers' licenses have RFID that stores a reference code without personal information. A thief would need access to the Department of Licensing databases to steal a person's identity. Sleeves are available that can shield a license to prevent unauthorized scanning.

Protection from Disclosure of Wireless Telephone Numbers

Personal privacy has become of increasing importance to consumers as more and more technology allows storage of information in computers. Many people do not want phone solicitors to have access to telephone numbers and prefer that cell phone numbers are not made public, especially when consumers are charged by the minute. They want to retain control of the access granted to their cell phone number.

There are companies that search public information and compile data on individuals which they sell for a fee. In 2008, the Legislature passed HB 2479, codified under RCW 19.250, which prohibits specified companies from selling or publishing wireless phone numbers without the customer's express consent. They have the right to revoke consent at any time. Any company that provides reverse phone number searches cannot charge a subscriber to look up their own telephone number nor to provide an opt-out of their database at any time.