

**Attachment #23**

Randall Rose, 3/25/19 letter

March 25, 2019

RI Online Data Transparency and Privacy Protection Commission

Rhode Island State House  
82 Smith St  
Providence, RI 02903

Proposed definition of sharing personal information:

(a) "geolocation information", with respect to an individual and a place or region where the individual is or was located in, is information indicating or implying that it is likely or certain that there is one or more person(s) who is or was located in that place or region, if a person or entity producing or using or receiving this information is likely or certain to use the information for a purpose that uses the fact that it is likely or certain that there is or was a person or persons in that place or region.

(b) "sensitive private information" is any of the following information: a handwritten signature or image of such signature; an email address which is the email address of some individual rather than an organization; a credit card number, debit card number, or other financial account number.

(c) a "personal identifier" of an individual is any of the following information about the individual, with or without anything further that links the information to that individual: social security number; first and last name, alias, last name plus first initial, or any portion of the name which the individual shares with less than 1 percent of the population; street address or municipality where the individual resides or is located; geolocation information with respect to the individual and some place or region; individual's driver license number, passport number, or similar identifiers; individual's physical characteristics or description; insurance policy number for a policy covering the individual; telephone number used for the individual's communication or associated with the individual; license plate number or VIN (vehicle identification number) of a vehicle owned, used or occupied by the individual; IP address, network hardware identifier, or similar identifier for a device used by, owned by, or located near the individual; individual's email address or username; individual's account name or number; any identifier that allows the individual to be picked out on a social media or messaging system; audio, electronic, visual, thermal, olfactory or similar information about the individual; biometric data about the individual; or any other piece(s) of information (including but not limited to behavioral information) pertaining to the individual which, when combined with publicly and/or commercially available information, would suffice to make it certain, likely, or fairly likely that a specific person, or a specific user interacting with a device or piece of software on some occasion, or someone detected in some way by a device or piece of software on some occasion, is the individual to whom these piece(s) of information pertain.

(d) "privacy-connected information" about an individual is any of the following information about the individual, with or without anything further that links the information to that individual: any personal identifier of the individual; information about the individual's online activity; individual's psychometric information; individual's professional information or employment-related information, including information relating to employment history; information related to individual's commercial, economic or financial activity; information related to individual's educational status or educational history; medical or health insurance information; information specifying or implying anything about the individual's

political positions or activities, values, views, or personal preferences; individual's race, color, religion, ethnicity, nationality, citizenship, sexual orientation, gender identity or gender expression.

(e) A person, commercial entity, incorporated or unincorporated organization or association, or business "shares personal information" about an individual when it, either by means of a device or piece(s) of software or by any other means, transfers to a third party or provides a copy of to a third party (with or without receiving compensation) any of the following:

(1) sensitive private information pertaining to the individual or the individual's minor child; or

(2) a set of two or more pieces of privacy-connected information (about the individual or the individual's minor child) which are joined together or directly or indirectly linked together, such that one or more of these pieces of information is a personal identifier of the individual or the individual's minor child, if a person or entity receiving these pieces of information is likely or certain to use the set of pieces of information for a purpose that uses the fact that these pieces of information are likely or certain to be about a single individual and/or that individual's minor child; or

(3) a piece of privacy-connected information about the individual or the individual's minor child in a way that can be reasonably taken as responding to a query or request for information, if the query or request for information includes or refers to a personal identifier of the individual or the individual's minor child.

However, it shall not be considered sharing personal information if it is easy for members of the general public to discover all of these pieces of information and to discover that all of these pieces of information pertain to the same individual or to that individual's minor child.

Sincerely,

*Randall Rose*  
Randall Rose