

June 7, 2021

Assemblywoman Tasha Boerner Horvath Assembly District 76

State Capitol, Room 4130

Sacramento, CA, 95814

Re: Support of AB 335 (Boerner Horvath), information sharing for vessel recall and warranty federal conformity purposes.

Dear Assemblywoman Boerner Horvath,

Platinum Advisors on behalf of California Association of Harbor Masters and Port Captains (CAHMPC) is pleased to support your measure, AB 335, related to information retained or shared between a vessel dealer and the vessel’s manufacturer. MRA was originally organized to provide a presence at the state legislative level to engage in legislation that would enhance and protect the marina industry and the boaters that it serves. The MRA helps busy marina operators by providing a network of marina professionals possessing an extensive knowledge of the marine industry in California.

With more than 745,600 registered boats, California is the third largest boating state, and Californians bought $718 million in new boats, engines and trailers in 2018. The recreational marine industry supports 41,500 jobs and 2,800 businesses. Most certainly the manufacturers of those vessels should be able to verify warranties and contact owners in the event of a safety recall.

We support AB 335 to ensure that there is no ambiguity in California’s data privacy laws that would create liability for the data retention practices we must follow to comply with Federal recall and warranty laws. Currently, boat and marine engine dealers send a buyer’s contact information to the product’s manufacturer. Manufacturers use this information to verify warranty eligibility and to conduct safety recalls. Dealers use these data to verify the products’ ownership and eligibility at the point of repair. In order for the process to work, the vessel manufacturer must know who bought the vessel or engine that is subject to a recall.

AB 335 would ensure that California’s landmark consumer privacy law would allow manufacturers of recreational boats and marine engines to receive and retain specific contact information for buyers of its products, for the limited and exclusive use of conducting product safety recalls and warranty verification as required by federal law. By allowing this limited sharing and retention of information, the legislature will ensure that consumers receive our announcements about important and timely safety recall information and can easily confirm warranty eligibility.

We wish to express our appreciation for your engagement on this issue, and we look forward to working with you as this legislation moves through the committee process this year.

Sincerely,

Beau Biller

Lobbyist

Platinum Advisors