



# The Biometric Transparency and Privacy Act in Erie County

*The Erie County Biometric Transparency and Privacy Act (BTPA) is now in effect.*

*If your business collects, stores, uses, sells, or shares biometric data, there are important requirements you must follow.*

**PLEASE NOTE THAT THIS DOCUMENT IS FOR  
INFORMATIONAL PURPOSES AND DOES NOT  
CONSTITUTE LEGAL ADVICE**



**Erie County**

Department of Public Advocacy  
[Erie.gov/Consumerprotection](http://Erie.gov/Consumerprotection)



## **WHAT IS BIOMETRIC DATA?**

Biometric identifier information or biometric information is data that depicts or describes physical, biological, or behavioral traits, characteristics, or measurements of, or relating to, an identified or identifiable person's body, including:

- Facial recognition data
- Fingerprints
- Retina or iris scans
- Voice recognition data
- Other unique biological or physical traits

This applies regardless of how the information is collected, stored, or shared.

## **CAN MY BUSINESS STILL USE SECURITY CAMERAS OR TAKE PHOTOS?**

Yes. Businesses may continue using security cameras and photography.

However, businesses may not use software, digital, or computing applications that identify, or that assist with the identification of, individuals based on physiological or biological characteristics.

## **WHAT HAPPENS IF I DON'T COMPLY?**

Businesses that fail to provide notice or fail to properly destroy biometric data may face fines for each day that you fail to provide proper notice and/or fines for failure to destroy biometric information and data.

# WHAT BUSINESSES ARE REQUIRED TO DO?

If your business collects or possesses biometric data, you must:

## **1. Notify Erie County**

Within 30 days of the law taking effect, you must provide written notice to the Director of Erie County's Division of Consumer Protection.

Your notice must include:

- The type of biometric data your business has collected.
- The amount of biometric data you possess.
- A written policy explaining how the data will be permanently destroyed.

## **2. Protect the Data**

Before destroying any biometric data, your business must secure the information and prevent it from being shared or accessed by any third parties.

## **3. Destroy the Data**

Within 30 days after providing notice, you must permanently and completely destroy all biometric data in your possession.

## **4. Certify Compliance**

After the data has been destroyed, you must submit a signed affidavit certifying that all biometric data has been permanently removed.

# NEED MORE INFORMATION?

*Visit Erie County's consumer protection resources for additional information and complaint forms.  
(see back of this document)*



## Erie County Division of Consumer Protection

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**For more information please visit  
[ERIE.GOV/BIOMETRICS](http://ERIE.GOV/BIOMETRICS)**

*Consumer Protection complaints can be  
submitted online at [Erie.gov/CPcomplaint](http://Erie.gov/CPcomplaint)*

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