

## Janet Mills paid to track where you drive, ride & walk – now her climate group can get the data

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AUGUSTA – The latest chapter in Governor Janet Mills’ crusade to impact global climate change via the tiny population and economy of the state of Maine began on your cell phone in April of 2019 and you probably didn’t even know it.

Presentation slides and screen recordings from a recent meeting of the Transportation Working Group of Governor Janet Mills’ Maine “Climate Council” show that the Mills administration has been tracking where you drive, walk, or ride a bike and the data will be eagerly provided to the individuals working in Mills’ climate change group at the urging of Maine DOT.

During Janet Mills’ campaign for Governor in 2018, a video was released and widely distributed showing Mills discussing what opponents labeled a “track and tax” approach to raising revenue from Maine drivers. As the idea went, the miles a Mainer drove would be logged in a tracking system, and Mainers would eventually pay a tax for the number of miles they drove on Maine roads.

This spring, the tracking component of a potential “track and tax” plan went into place, with the Mills administration quietly hiring a firm to track the movements of Maine’s drivers.

Records from a November meeting of a working group of Mills’ Maine Climate Council show Kara Aguilar, an Assistant Engineer from Maine DOT, telling members of the Climate Council that Maine DOT can tell them where vehicles begin their trips and their eventual destinations, how fast they drove, how long trips took and even provide data on their turning movements.

The data, according to Aguilar, can also infer the purpose of the trip. Speaking during a slide presentation that listed the capabilities and limitations of the state’s system, Aguilar said she had not listed “all of the capabilities” of the system.

Instead, Aguilar indicated that she chose to list the capabilities currently being used by Maine DOT. Aguilar also said that the system can access demographic data on drivers.

Nate Kane, the director of GIS services for Maine DOT, assured the Climate Council that Maine DOT works very hard to keep data organized, telling the council members, “I can tell you, no shortage of data available to this group, and of course other groups as well, but especially in regards to transportation.

“There is data available from the Department of Transportation and beyond at this group’s beck and call whenever you want it,” Kane told the group.

“So, uh, as part of that,” continued Kane. “We wanted to try to make sure that you had a brief overview of some of these data that is available from the Maine Department of Transportation to try to uh, stimulate the group’s uh, kind of quest for data here, uh, whet your appetite for data.”

According to online documentation provided by the vendor that Maine has hired to do driver tracking and other information, the state can track drivers through apps and other methods. Among those methods are apps on smart phones that allow access to GPS data, which many drivers have not been aware they were providing, and standalone vehicle GPS units.

StreetLight Data, the San Francisco based firm hired by Maine DOT, goes further than most other companies in that they match their GPS data to additional data to provide additional layers of insight into the data they collect.

According to StreetLight’s own website, “StreetLight InSight® metrics include inferred income, race, education, and family status at the neighborhood level to enrich your perspective on travel patterns.” The firm says it anonymizes data to protect the privacy of individuals but some privacy watchdogs and civil liberties groups are critical of the practice, saying they doubt the data can truly be kept anonymous.

That could well be the case in Maine where some neighborhoods or regions contain a limited number of residences and don’t provide the kind of raw numbers that could cloak drivers in anonymity even if the firm tried.

In an article published on GovTech, Kade Crockford of the ACLU of Massachusetts said that in the United States, citizens have basically no “existing statutory or regulatory protections” from their location info being harvested.

Across the nation, chapters of the American Civil Liberties Union, the libertarian leaning CATO Institute and others have opposed such data collection because of the privacy risks. The ACLU has also opposed tracking by the U.S. Drug Enforcement Agency when the agency was revealed to be building a database of vehicle movements based on license plate photos.

There is a significant expense to all this tracking of Maine drivers as well.

Overall, according to Kennebec Journal reporter Peter McGuire, the StreetLight contract runs about \$370,000 per year with Maine DOT covering about \$125,000 of that cost and the Maine Turnpike Authority paying just over \$130,000. The city of Portland and the Portland Area Comprehensive Transportation System pay for the balance of the contract, which gives them access to detailed, street-by-street driver data.

When the program to track Maine drivers was originally announced, the official purpose was reportedly to help improve Maine DOT's transportation planning.

Because StreetLight is also tracking the movement of pedestrians and cyclists and now making the data available to Mills' Climate Council, (and not just for transportation planning purposes), access and use of the data of the private citizens of Maine appears to have crossed a rubicon of sorts.

The Climate Council has six "working groups" with additional sub-committees possible beneath them. That means this data, which the Maine DOT says they will make available, can be accessed by various bureaucrats looking at virtually every aspect of Maine life, from the economy and energy to natural lands, housing, science and technology.

While the Climate Council has no authority to change state law, they do have broad latitude to explore and propose ideas and reforms.

The tracking of Maine drivers could serve as a starting point for future plans to track and tax Maine drivers, which many feared in the 2018 campaign. Currently, a Blue Ribbon Commission on transportation is gridlocked on potential gas tax increases. Democrats believe an increase in the gas tax is needed to fund road and bridge repairs. Republicans respond by saying the state has the money, it just needs to be allocated to the highway budget instead of spent on other things.

They point to the fact that Governor Mills pushed for an 11% increase in state spending, virtually every penny the state had, without putting a dollar more into Maine's roads and bridges.

Compounding the threat to drive up costs for Maine drivers is that Governor Mills is also looking at entering into a regional gas tax agreement with other eastern states, which could add 13 to 20 cents per gallon. That additional revenue would be spent on "green" transportation projects, not road and bridge repairs.

Raising taxes on gasoline and other fossil fuels has long been thought by the political left as an effective strategy to reduce carbon emissions. Cutting down on carbon emissions is the top objective of the Maine Climate Council's Transportation Working Group, according to the published draft of the group's scope of work.

Because carbon emissions from transportation are the largest emissions source in the state due to Maine's rural character, the transportation group in Mills' climate council could be tasked with identifying the lion's share of the council's overall carbon emission cuts.

With a penchant for raising gas and oil taxes already well-documented in the current Maine Legislature and Governor Mills' apparent willingness to take significant action in pursuit of victories in climate change, the working group could propose a new tax or fee.

That means the data that hundreds of thousands of Mainers have been unwittingly transmitting to the Mills administration over the past eight months could be used to drive up the cost of driving in Maine, through a vehicle mileage tax (VMT) or different tax-per-mile scenario.

*Among the members of the Maine Climate Council's Transportation Working Group are a handful of representatives from private Maine businesses, but they are vastly outnumbered on the thirty person panel by representatives from non-profits, including environmental activism groups, government officials and representatives from consulting firms.*

*Among those with seats on the Maine Climate Council's Transportation Working Group are: The Nature Conservancy; BlueGreen Alliance; Conservation Law Foundation; Greater Portland Council of Governments; Bowdoin College and Penquis C.A.P..*

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