



**Presentation/Discussion:
The Legality of Dashcams
in Customer's Vehicles
During Repairs**

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Digital Communication Tools



With the digital age accelerating, the question of privacy keeps rising to the surface, particularly the digital tools we may use in our Service and Parts Departments.

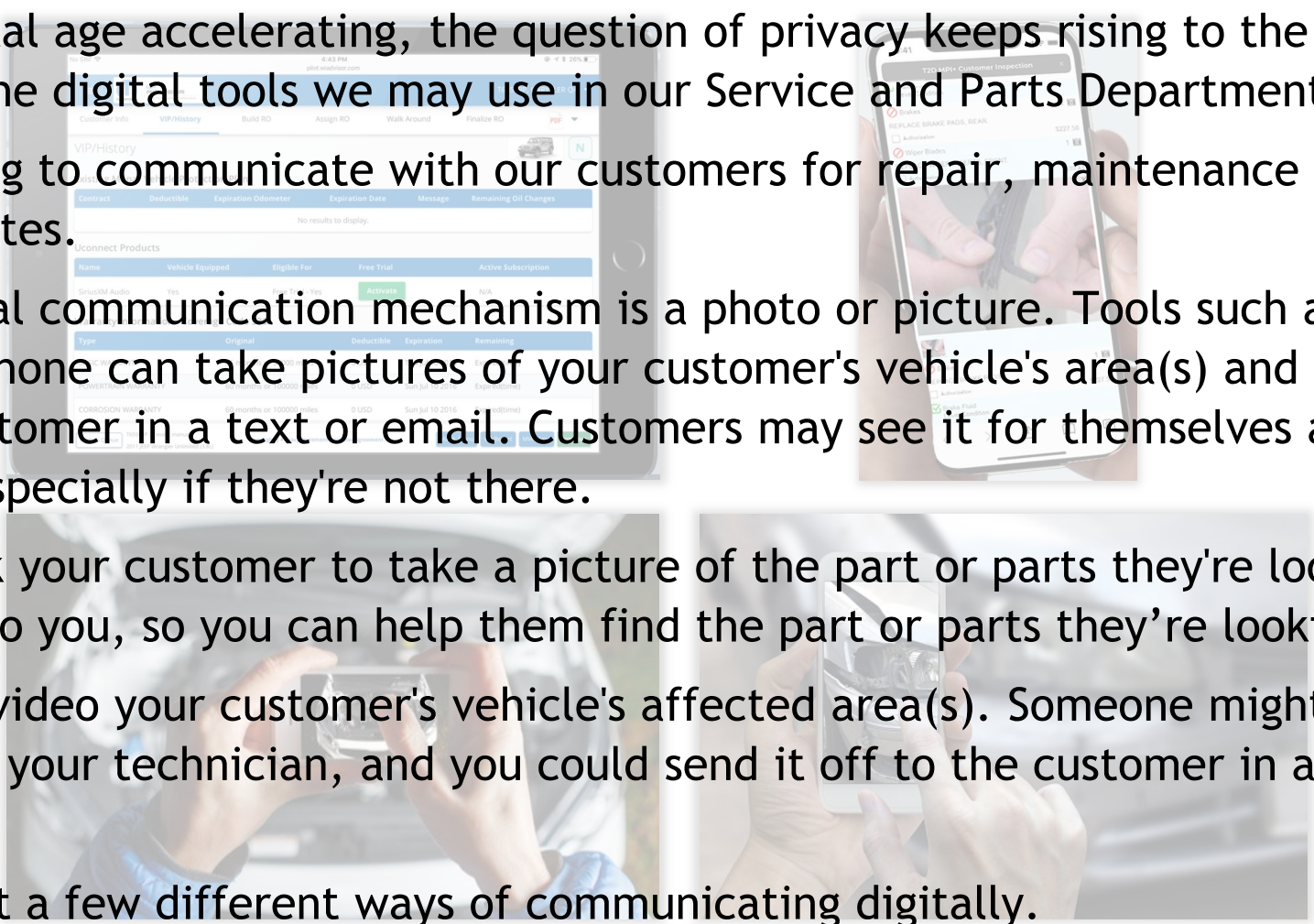
We use texting to communicate with our customers for repair, maintenance estimates, and parts quotes.

Another digital communication mechanism is a photo or picture. Tools such as WiAdvisor or your cell phone can take pictures of your customer's vehicle's area(s) and send them off to the customer in a text or email. Customers may see it for themselves at your dealership, especially if they're not there.

You might ask your customer to take a picture of the part or parts they're looking for and send it back to you, so you can help them find the part or parts they're looking for.

You can also video your customer's vehicle's affected area(s). Someone might narrate the problem, like your technician, and you could send it off to the customer in a text or an email.

These are just a few different ways of communicating digitally.



Dashcams



What happens when a *customer* brings their vehicle with a dashcam into your shop? It's on and recording?

What would you do?

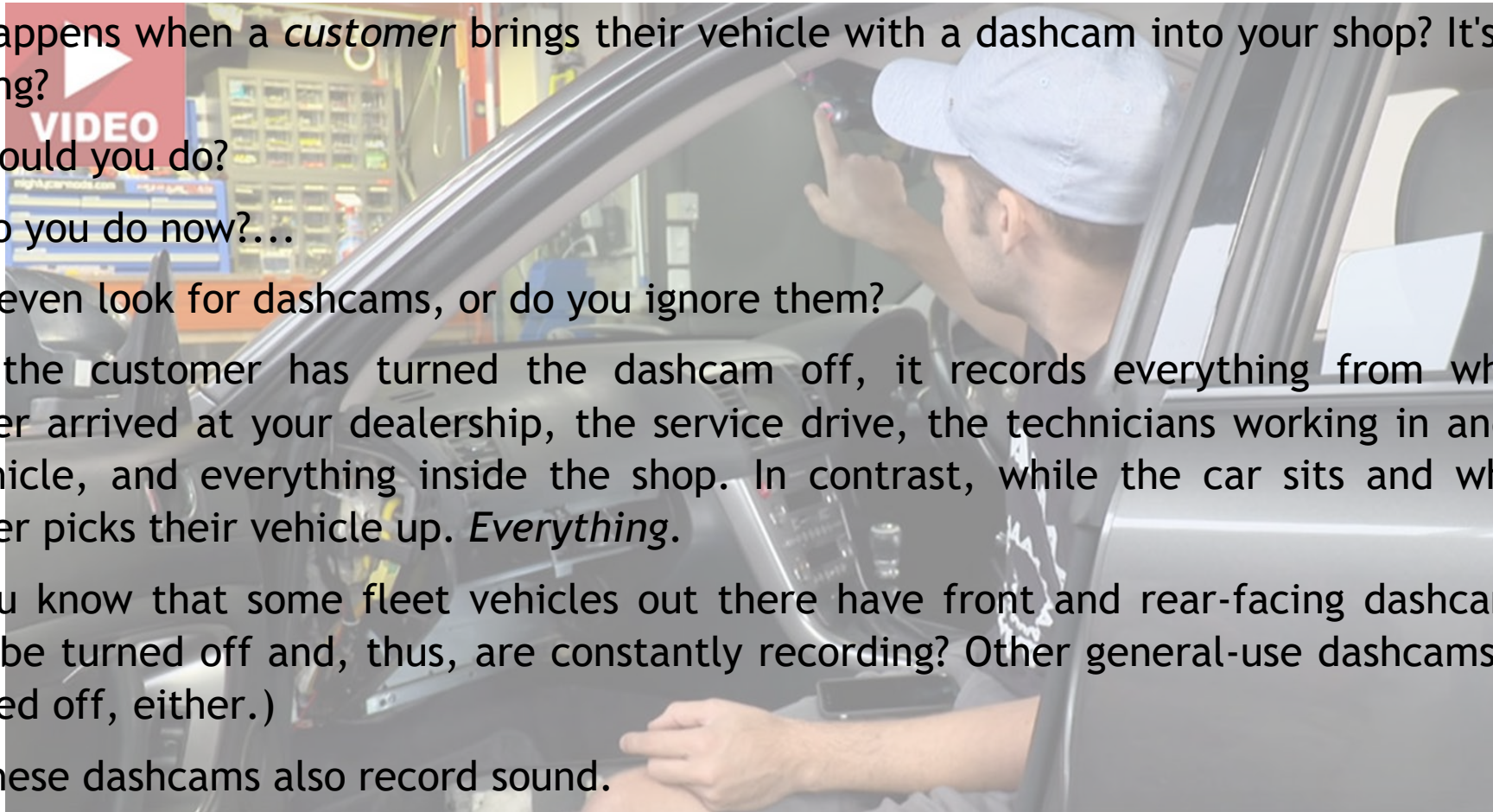
What do you do now?...

Do you even look for dashcams, or do you ignore them?

Unless the customer has turned the dashcam off, it records everything from when the customer arrived at your dealership, the service drive, the technicians working in and about the vehicle, and everything inside the shop. In contrast, while the car sits and when the customer picks their vehicle up. *Everything*.

(Did you know that some fleet vehicles out there have front and rear-facing dashcams that cannot be turned off and, thus, are constantly recording? Other general-use dashcams cannot be turned off, either.)

BTW, these dashcams also record sound.



Dashcams



Do you really need to worry about this?

Customers have the right to know what's going on with their vehicle while it's in the shop.

If you turn off the customer's camera, that suggests you have something to hide.

Leave the camera on; honest shops have nothing to worry about!

Dashcams



Here are a few facts to consider:

1. Privacy

It is illegal to record sound without notification first in most states, and it's very much like recording a phone conversation



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Dashcams



Here are a few facts to consider:

2. Privacy

Third-party recording of video and sound of other vehicles and other employees in the shop and service drive areas without proper notification may be illegal.



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Dashcams



Here are a few facts to consider:

3. Privacy

There are other customers everywhere, and they would be "caught" on the dashcam, too.



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Dashcams



Here are a few facts to consider:

4. Privacy

Do you believe your technicians are okay with being videoed? If they say no, it's no.



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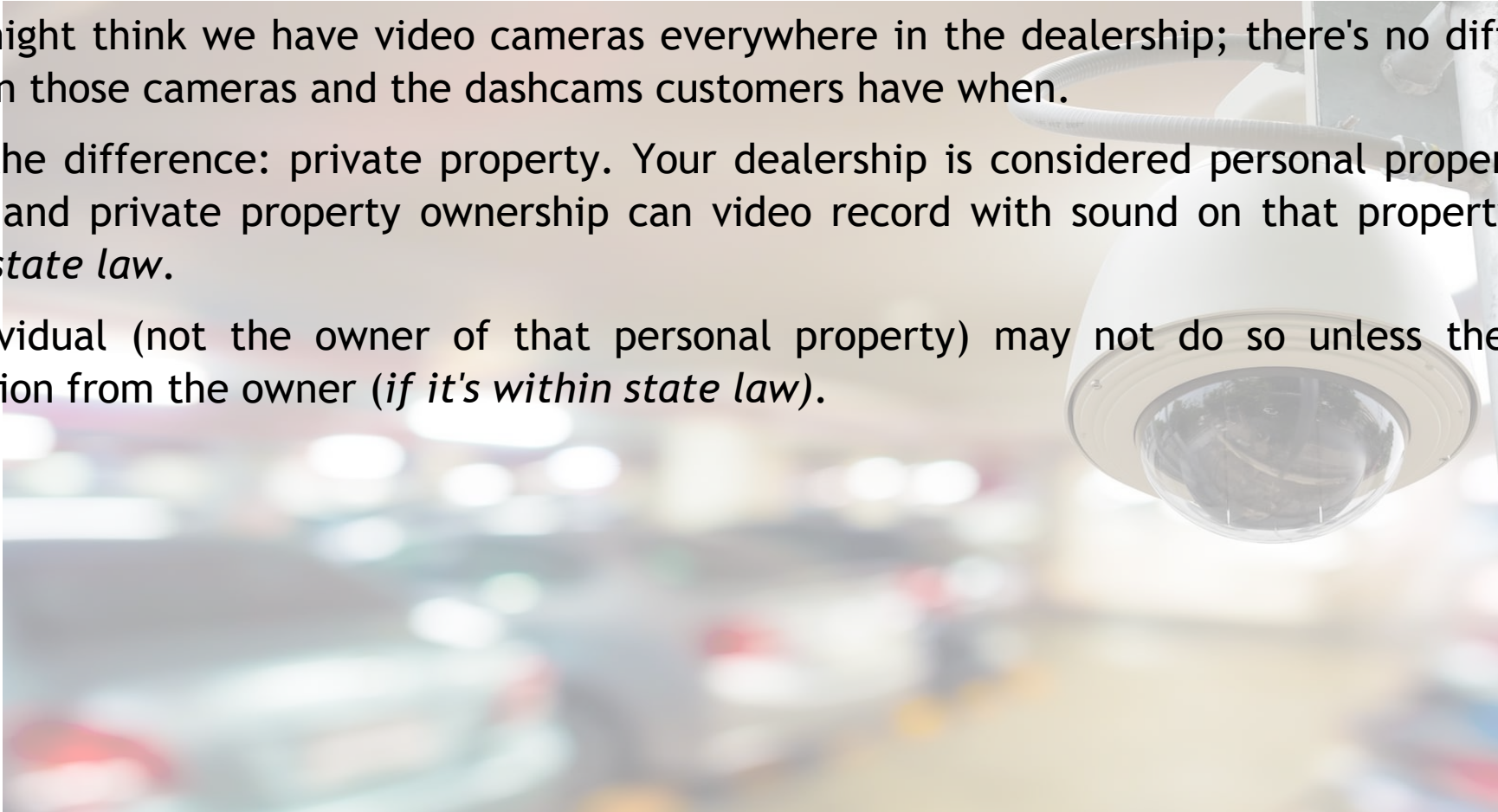
Dashcams



Some might think we have video cameras everywhere in the dealership; there's no difference between those cameras and the dashcams customers have when.

Here's the difference: private property. Your dealership is considered personal property, not public, and private property ownership can video record with sound on that property *if it's within state law*.

An individual (not the owner of that personal property) may not do so unless they have permission from the owner (*if it's within state law*).



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Dashcams

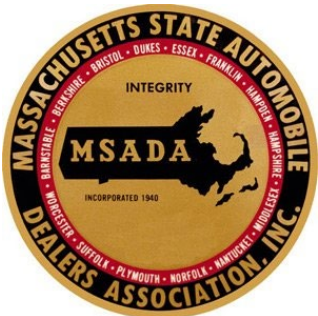


What's the answer to this?

Is your dealership a member of your state's automobile dealer association? If yes, most of these associations have an attorney on staff to help answer questions regarding issues such as this. Contact your association and ask pertinent questions regarding state law.

Then, as a dealership management team, determine what's best for your store as this also affects the Sales and F&I Departments.

Weigh the pros and cons and make the best decision for you.



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Dashcams



I'm sure there will be all kinds of opinions on this.

If you haven't thought about it, I'm glad I got you thinking about it.

At some point, a customer will come into your service department with a dashcam that's on and want to record the whole experience, whether the customer remains at the dealership or not.

