



**Common Sense Media Strongly Supports
the Consumer Protection - Online Products and Services - Data of Children
(Maryland Kids Code) (HB0603 and SB0571)**

[Common Sense Media](#) strongly supports the Consumer Protection - Online Products and Services - Data of Children (Maryland Kids Code) (HB0603 and SB0571). With more than 100 million unique users, 1.2 million member teachers, and 87,000 member schools, Common Sense is the nation's largest organization dedicated to ensuring that children and families thrive—and remain safe—in the rapidly-changing digital age. In Maryland alone, more than 2,000 teachers have registered to teach Common Sense's [digital citizenship and literacy materials](#) to their students in nearly 800 Common Sense recognized schools.

Risks Abound for Kids Online

Kids' internet usage is at an [all-time high](#). Teens spend an average of 4.5 hours per day on their phones, with about a quarter of them spending as much as 5 to 8 hours in front of their screens, every day. Nearly [half of teens](#) report that they feel addicted to their phones. Teens connect with each other through social media platforms at higher rates than any other group, report that these platforms form a larger part of their social life than any other group, and have outsized levels of difficulty stopping technology use once they've started. Excessive phone use creates a laundry list of problems for kids and teens, including distraction at school, loss of sleep, body image and other mental health problems, and exposure to harmful content or adult contacts.

Younger children, such as 11-12 year olds, may spend less unsupervised time online, but they too face the same age-inappropriate exposure risks on social media platforms as older children—and these exposures can have a significant effect on them. Furthermore, kids and teens must use technology for education purposes, meaning that K-12 students in Maryland don't have the option to avoid tech and the concerns that its excessive use raises.

Our [research](#) of girls and social media use shows that despite many girls' positive perceptions of social media's overall impact on their lives, a meaningful proportion of girls report challenges with regulating their use. This research also shows that numerous features of social media, like algorithmic video recommendations, endless scrolling, notifications, and autoplay, can make these platforms difficult to stop using. Additionally, these girls report that their social media use causes negative effects on their sleep and increased stress.

Social media companies intentionally use manipulative design features to increase kids' engagement online in order to make more money from advertising. Features like endless scroll, low friction designs, and repeat notifications (or 'nudging') pull youth back into apps and extend their attention and time online. Indeed, [research](#) shows that popular social media apps, like TikTok, provide low-friction access to infinite, personalized content which short circuits kids' and teens' attention and drives compulsive engagement. Profit motives are to blame—platforms create these features to promote user engagement and increase ad revenue, regardless of the

negative consequences. Ultimately, these features endanger our kids by compromising their privacy, driving kids toward harmful and extreme content, and exposing risky contacts and behaviors online. Business models built around maximizing users' time spent online and highly sophisticated individual targeting enable harm to many of our kids.

The public is increasingly aware of harmful social media practices, as we just saw when five Big Tech CEOs testified—and Meta CEO Mark Zuckerberg apologized to parents—before the U.S. Senate Judiciary Committee. And polling shows that parents of all political backgrounds support establishing guardrails to protect kids online - guardrails that do not exist today. The Maryland Kids Code is desperately needed to protect kids and families.

Common Sense Media Supports the Maryland Kids Code

The Maryland Kids Code is essential to enhance online safety for children and families by protecting them from the impacts of the addictive features of social media platforms while preserving their ability to use the internet to learn, explore, and find community.

First, the Code makes large social media companies responsible for designing their products with kids' privacy, safety, and wellness in mind. It requires that online products and services *likely to be accessed by kids* be designed for their protection and privacy. This language is critical: it expands protections for children to a broad range of platforms, ensuring children are safeguarded even while exploring the Internet beyond sites targeted specifically at children.

Second, the Code requires that social media companies implement features that serve the *best interests of children*. The Code requires that platforms' use a high level of privacy settings by default and requires privacy notices and community standards to be clear and suited for the age of the child using the platform. Reporting tools for violations of these policies need to be accessible to children or their parents or guardians. This enables kids and teens to learn about data privacy and online safety, and encourages their autonomy in using reporting tools, while ensuring that kids are not intentionally exposed to harmful content or contacts. The Code also prohibits covered platforms from collecting and retaining personal information of kids that is not necessary to the service provided, insulating children from data mining and data exploitation.

Finally, the Code also requires covered social media companies to perform regular Data Protection Impact Assessments (DPIA), and, if a companies' DPIA finds one of their design features—like endless scroll or autoplay—is not consistent with the best interests of children reasonably likely to access the online product, service, or feature, the company must implement a plan to mitigate or eliminate that harm. This proactive approach to regulation shifts certain regulatory burdens onto high-revenue corporations that engender the harms to children and teens described above. This provision does not present excessive burdens, however, since social media companies are familiar with these impact assessments and are already required to create them when they provide their products to youth in the UK and Europe.

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