

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass with Amendments to the A-Eng. Measure (Printed B-Eng.)

Vote: 5 - 0 - 0

Yeas: Burdick, George, Girod, Rosenbaum, Bonamici

Nays: 0

Exc.: 0

Prepared By: Lori Brocker, Administrator

Meeting Dates: 5/12, 5/19, 5/21, 5/26, 5/28

WHAT THE MEASURE DOES: Prohibits, with certain exceptions, private entity from swiping individual's driver license or identification card. Prohibits, with certain exceptions, storing, sharing or selling information electronically retrieved from driver license or identification card. Limits data that may be electronically retrieved and collected. Allows use of certain transmitted data to prevent fraud or other criminal activity. Allows governmental entity to swipe driver license or identification card if license or card is knowingly provided, lawfully confiscated or obtained in certain emergency situations. Provides exception for certain actions by person regulated under federal Fair Credit Reporting Act. Allows wireless or telecommunications entity to swipe license or card with individual's permission. Allows collection of certain personal information by wireless or telecommunications entity for purpose of establishing or maintaining contract. Allows manual collection of information if individual refuses swiping of license or card. Allows swiping of license or identification card pursuant to court rule. Provides certain monetary and equitable relief for violation of provisions. Requires award of reasonable costs and attorney fees to prevailing plaintiff. Allows increase of up to three times award if court finds violation willful or knowing.

ISSUES DISCUSSED:

- Age provision
- Fraud prevention databases
- Business of fraudulent returns
- Wireless and telecommunication provider data collection

EFFECT OF COMMITTEE AMENDMENT: Allows certain data collection by wireless and telecommunications providers. Allows certain data collection relating to credit reporting and pursuant to court rule.

BACKGROUND: Information can be electronically retrieved and collected from state-issued driver licenses, permits and identification cards. House Bill 2371B provides parameters and procedures for the collection, retention and exchange of information retrieved from an individual's license, permit or identification card.