

## SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2371

By COMMITTEE ON CONSUMER PROTECTION AND PUBLIC AFFAIRS

June 5

1 On page 1 of the printed A-engrossed bill, line 20, delete the first “or” and insert “number,”.

2 On page 2, line 1, after “(2)” insert “Except as provided in subsection (6) of this section,”.

3 Delete lines 16 through 20 and insert:

4 “(4) A private entity that swipes an individual’s driver license or identification card under sub-  
5 section (2)(c) or (d) of this section may store or share the following information collected from  
6 swiping an individual’s driver license or identification card for the purpose of preventing fraud or  
7 other criminal activity against the private entity:

8 “(a) Name;

9 “(b) Address;

10 “(c) Date of birth; and

11 “(d) Driver license number or identification card number.”.

12 In line 21, after “(5)” insert “(a)” and after “person” insert “other than an entity regulated by  
13 the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq.,”.

14 After line 23, insert:

15 “(b) A person who is regulated by the federal Fair Credit Reporting Act and who receives per-  
16 sonal information from a private entity under subsection (4) of this section may use or provide the  
17 personal information received only to effect, administer or enforce a transaction or prevent fraud  
18 or other criminal activity, if the person provides or receives personal information under contract  
19 from the private entity.

20 “(6)(a) Subject to the provisions of this subsection, a private entity that is a commercial radio  
21 service provider that provides service nationally and that is subject to the Telephone Records and  
22 Privacy Protection Act of 2006 (18 U.S.C. 1039) may swipe an individual’s driver license or identifi-  
23 cation card if the entity obtains permission from the individual to swipe the individual’s driver li-  
24 cense or identification card.

25 “(b) The private entity may swipe the individual’s driver license or identification card only for  
26 the purpose of establishing or maintaining a contract between the private entity and the individual.  
27 Information collected by swiping an individual’s driver license or identification card for the estab-  
28 lishment or maintenance of a contract shall be limited to the following information from the indi-  
29 vidual:

30 “(A) Name;

31 “(B) Address;

32 “(C) Date of birth; and

33 “(D) Driver license number or identification card number.

34 “(c) If the individual does not want the private entity to swipe the individual’s driver license  
35 or identification card, the private entity may manually collect the following information from the

1 individual:  
2       “(A) Name;  
3       “(B) Address;  
4       “(C) Date of birth; and  
5       “(D) Driver license number or identification card number.  
6       “(d) The private entity may not withhold the provision of goods or services solely as a result  
7 of the individual requesting the collection of the following information from the individual through  
8 manual means:  
9       “(A) Name;  
10       “(B) Address;  
11       “(C) Date of birth; and  
12       “(D) Driver license number or identification card number.”.  
13 In line 24, delete “(6)” and insert “(7)”.  
14 Delete line 29.  
15 In line 31, delete the period and insert “; or  
16       “(d) A court rule requires swiping of the driver license or identification card to facilitate accu-  
17 rate linking of court records pertaining to the individual.”.  
18 In line 32, delete “(7)” and insert “(8)”.  
19 In line 39, delete “(8)” and insert “(9)”.  
20 \_\_\_\_\_