

SENATE BILL 470

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7lr0851

By: **Senator Kagan**

Introduced and read first time: January 30, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Scanning Identification Cards and Driver’s Licenses –**
3 **Prohibition**

4 FOR the purpose of prohibiting a person from using a machine to scan an identification
5 card or a driver’s license; prohibiting a person from retaining any information
6 collected from scanning an identification card or a driver’s license or the barcode on
7 the identification card or driver’s license; making a violation of this Act an unfair or
8 deceptive trade practice under the Maryland Consumer Protection Act and subject
9 to certain enforcement and penalty provisions; providing for the application of this
10 Act; and generally relating to scanning identification cards and driver’s licenses.

11 BY adding to
12 Article – Commercial Law
13 Section 14–1326
14 Annotated Code of Maryland
15 (2013 Replacement Volume and 2016 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Commercial Law**

19 **14–1326.**

20 **(A) THIS SECTION DOES NOT APPLY TO A PERSON WHO IS SCANNING AN**
21 **IDENTIFICATION CARD OR A DRIVER’S LICENSE TO:**

22 **(1) VERIFY THE AUTHENTICITY OF THE IDENTIFICATION CARD OR**
23 **DRIVER’S LICENSE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) VERIFY THE AGE OF THE INDIVIDUAL WHO POSSESSES THE**
2 **IDENTIFICATION CARD OR DRIVER'S LICENSE;**

3 **(3) RECORD, RETAIN, OR TRANSMIT INFORMATION AS REQUIRED BY**
4 **LAW; OR**

5 **(4) TRANSMIT THE NAME AND IDENTIFICATION CARD NUMBER OR**
6 **DRIVER'S LICENSE NUMBER TO A CHECK SERVICE COMPANY FOR THE PURPOSE OF**
7 **APPROVING NEGOTIABLE INSTRUMENTS, ELECTRONIC FUNDS TRANSFERS, OR**
8 **OTHER SIMILAR METHODS OF PAYMENT.**

9 **(B) A PERSON MAY NOT:**

10 **(1) USE A MACHINE TO SCAN AN IDENTIFICATION CARD OR A**
11 **DRIVER'S LICENSE, INCLUDING THE BARCODE ON THE IDENTIFICATION CARD OR**
12 **DRIVER'S LICENSE; OR**

13 **(2) RETAIN ANY INFORMATION COLLECTED FROM SCANNING AN**
14 **IDENTIFICATION CARD OR A DRIVER'S LICENSE OR THE BARCODE ON THE**
15 **IDENTIFICATION CARD OR DRIVER'S LICENSE.**

16 **(C) A VIOLATION OF THIS SECTION IS:**

17 **(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**
18 **MEANING OF TITLE 13 OF THIS ARTICLE; AND**

19 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**
20 **CONTAINED IN TITLE 13 OF THIS ARTICLE.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2017.