

SENATE BILL 695

I3

6lr2101

By: **Senators Kagan and Gile**

Introduced and read first time: February 6, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Driver’s License and ID Card Swiping – Regulation**

3 FOR the purpose of prohibiting a person from swiping the driver’s license or ID card of an
4 individual except for certain purposes; prohibiting a person that swipes a driver’s
5 license or ID card from storing, selling, or sharing the personal information collected
6 except under certain circumstances; authorizing certain persons to use personal
7 information collected through swiping only for certain purposes; authorizing a
8 governmental entity to swipe the driver’s license or ID card of an individual only for
9 certain purposes; establishing that a violation of this Act is an unfair, abusive, or
10 deceptive trade practice subject to enforcement and penalties under the Maryland
11 Consumer Protection Act; and generally relating to the regulation and enforcement
12 of driver’s license and identification card swiping.

13 BY repealing and reenacting, with amendments,
14 Article – Commercial Law
15 Section 13–301(14)(xlvii)
16 Annotated Code of Maryland
17 (2025 Replacement Volume)

18 BY repealing and reenacting, without amendments,
19 Article – Commercial Law
20 Section 13–301(14)(xlviii)
21 Annotated Code of Maryland
22 (2025 Replacement Volume)

23 BY adding to
24 Article – Commercial Law
25 Section 13–301(14)(xlix) and 14–1330
26 Annotated Code of Maryland
27 (2025 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Commercial Law

13–301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xlvii) Title 14, Subtitle 50 of this article; [or]

(xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

(XLIX) SECTION 14–1330 OF THIS ARTICLE; OR

14–1330.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.**

**(2) “DRIVER’S LICENSE” MEANS A LICENSE OR PERMIT ISSUED BY
THE MOTOR VEHICLE ADMINISTRATION UNDER TITLE 16 OF THE
TRANSPORTATION ARTICLE OR A LICENSE TO DRIVE ISSUED BY ANY OTHER
JURISDICTION.**

**(3) “FINANCIAL INSTITUTION” HAS THE MEANING STATED IN § 1–101
OF THE FINANCIAL INSTITUTIONS ARTICLE.**

**(4) “IDENTIFICATION CARD” OR “ID CARD” MEANS A CARD ISSUED
UNDER § 12–301 OF THE TRANSPORTATION ARTICLE OR A COMPARABLE PROVISION
IN ANOTHER JURISDICTION.**

**(5) “PERSONAL INFORMATION” INCLUDES AN INDIVIDUAL’S NAME,
ADDRESS, DATE OF BIRTH, PHOTOGRAPH, FINGERPRINT, BIOMETRIC DATA,
DRIVER’S LICENSE NUMBER, IDENTIFICATION CARD NUMBER, OR ANY OTHER
UNIQUE PERSONAL IDENTIFIER.**

**(6) “SWIPE” MEANS PASSING A DRIVER’S LICENSE OR
IDENTIFICATION CARD THROUGH A DEVICE CAPABLE OF READING THE
INFORMATION ENCODED IN A MAGNETIC STRIP OR BARCODE.**

**(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
PERSON MAY NOT SWIPE THE DRIVER’S LICENSE OR ID CARD OF AN INDIVIDUAL.**

1 **(2) A PERSON MAY SWIPE THE DRIVER'S LICENSE OR ID CARD OF AN**
2 **INDIVIDUAL:**

3 **(I) TO VERIFY THE AUTHENTICITY OF A DRIVER'S LICENSE OR**
4 **ID CARD;**

5 **(II) TO VERIFY THE IDENTITY OF AN INDIVIDUAL WHO:**

6 **1. MAKES A PURCHASE FROM THE PERSON WITH A**
7 **METHOD OTHER THAN CASH;**

8 **2. RETURNS AN ITEM PURCHASED; OR**

9 **3. REQUESTS A REFUND;**

10 **(III) TO VERIFY THE AGE OF THE INDIVIDUAL WHEN PROVIDING**
11 **AN AGE-RESTRICTED GOOD OR SERVICE;**

12 **(IV) TO PREVENT FRAUD OR OTHER CRIMINAL ACTIVITY IF:**

13 **1. THE INDIVIDUAL, WITHOUT PROOF OF PURCHASE OR**
14 **A RECEIPT, RETURNS AN ITEM OR REQUESTS A REFUND FROM THE PERSON;**

15 **2. THE PERSON USES A FRAUD PREVENTION SERVICE**
16 **COMPANY OR SYSTEM; AND**

17 **3. THE PERSON DELETES ANY PERSONAL INFORMATION**
18 **WITHIN 60 DAYS AFTER WHEN THE PERSONAL INFORMATION WAS FIRST**
19 **COLLECTED;**

20 **(V) TO TRANSMIT INFORMATION TO A CHECK SERVICES**
21 **COMPANY FOR THE APPROVAL OF A NEGOTIABLE INSTRUMENT, AN ELECTRONIC**
22 **FUNDS TRANSFER, OR ANY OTHER SIMILAR PAYMENT METHOD; AND**

23 **(VI) IF THE PERSON IS A FINANCIAL INSTITUTION, TO COLLECT**
24 **INFORMATION FOR PROCESSING A DEPOSIT OR LOAN.**

25 **(C) (1) IF A PERSON SWIPES A DRIVER'S LICENSE OR ID CARD UNDER**
26 **SUBSECTION (B)(2)(I) THROUGH (III) OF THIS SECTION, THE PERSON MAY NOT**
27 **STORE, SELL, OR SHARE THE PERSONAL INFORMATION COLLECTED.**

(2) IF A PERSON SWIPES A DRIVER'S LICENSE OR ID CARD UNDER SUBSECTION (B)(2)(IV) OR (V) OF THIS SECTION, THE PERSON MAY STORE OR SHARE ONLY THE FOLLOWING PERSONAL INFORMATION COLLECTED:

(I) NAME;

(II) ADDRESS;

(III) DATE OF BIRTH; AND

(IV) THE IDENTIFICATION NUMBER CONNECTED TO THE SWIPED DRIVER'S LICENSE OR ID CARD.

(D) (1) A PERSON NOT REGULATED UNDER THE FEDERAL FAIR CREDIT REPORTING ACT THAT RECEIVES PERSONAL INFORMATION FROM A SWIPED DRIVER'S LICENSE OR ID CARD MAY USE THE INFORMATION ONLY TO PREVENT FRAUD AGAINST THE PERSON THAT PROVIDED THE PERSONAL INFORMATION.

(2) A PERSON THAT IS REGULATED UNDER THE FEDERAL FAIR CREDIT REPORTING ACT THAT RECEIVES PERSONAL INFORMATION FROM A SWIPED DRIVER'S LICENSE OR ID CARD MAY USE THE INFORMATION ONLY TO PREVENT FRAUD OR TO EFFECT, ADMINISTER, OR ENFORCE A TRANSACTION.

(E) A GOVERNMENTAL ENTITY MAY SWIPE A DRIVER'S LICENSE OR AN ID CARD OF AN INDIVIDUAL ONLY IF THE DRIVER'S LICENSE OR ID CARD IS:

(1) KNOWINGLY AND WILLINGLY PROVIDED BY THE INDIVIDUAL;

(2) CONFISCATED BY THE GOVERNMENTAL ENTITY;

(3) REQUIRED FOR EMERGENCY ASSISTANCE; OR

(4) MANDATED BY A COURT ORDER.

(F) THIS SECTION DOES NOT PROHIBIT A LAW ENFORCEMENT OFFICER OR LAW ENFORCEMENT AGENCY, WHILE ACTING WITHIN THE SCOPE OF OFFICIAL DUTIES, FROM:

(1) SWIPING AN INDIVIDUAL'S DRIVER'S LICENSE OR IDENTIFICATION CARD; OR

1 **(2) RECORDING, RETAINING, OR TRANSMITTING PERSONAL**
2 **INFORMATION RECEIVED FROM A SWIPED DRIVER'S LICENSE OR IDENTIFICATION**
3 **CARD.**

4 **(G) A VIOLATION OF THIS SECTION IS:**

5 **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**
6 **THE MEANING OF TITLE 13 OF THIS ARTICLE; AND**

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2026.