

SENATE BILL 695

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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.



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

3 **Article – Commercial Law**

4 13–301.

5 Unfair, abusive, or deceptive trade practices include any:

6 (14) Violation of a provision of:

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

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

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

10 **14–1330.**

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

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

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

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

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

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

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

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:

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.

4 (I) NAME;

5 (II) ADDRESS;

6 (III) DATE OF BIRTH; AND

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

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

17 (E) A GOVERNMENTAL ENTITY MAY SWIPE A DRIVER'S LICENSE OR AN ID
18 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;

22 (4) MANDATED BY A COURT ORDER.

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

26 (1) SWIPI NG AN INDIVIDUAL'S DRIVER'S LICENSE OR
27 IDENTIFICATION CARD; OR

4 (G) A VIOLATION OF THIS SECTION IS:

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.