

CHERYL C. KAGAN
Legislative District 17
Montgomery County

Vice Chair
Education, Health, and
Environmental Affairs Committee

Joint Audit Committee
Joint Committee on Federal Relations



Miller Senate Office Building
11 Bladen Street, Suite 2 West
Annapolis, Maryland 21401
301-858-3134 · 410-841-3134
800-492-7122 Ext. 3134
Fax 301-858-3665 · 410-841-3665
Cheryl.Kagan@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB34: Restricting the Practice of Drivers' License Swiping by Retailers
Senate Finance Committee
Hearing: Wednesday, January 29, 2020, 2:45 PM FIN

We've all read about enormous data breaches at companies like Target, Yahoo, and others. Last year, Javelin Strategy & Research found that 14.4 million U.S. consumers were victims of ID theft in 2018, suffering losses of more than \$14.7 billion. As our society becomes more electronically connected, it becomes even more important to protect our privacy from hackers -- but harder to do so. SB34 would help. This bill passed the Senate unanimously last year.

Consumer information such as driver's license number, home address, birth date, and Social Security number used to be private. Unfortunately, in Maryland, companies with an inexpensive scanner can access and retain the data on a driver's license or state identification card. We don't really know how companies are using or protecting our personal details.

There's not much Texas and California agree on -- but they both have laws that restrict ID swiping. Along with ten other states, they've enacted reasonable limits on companies having unfettered access to our personal data.

There's an even more pressing need to take action now as Maryland upgrades licenses to the federal "Real ID" standards. According to the Motor Vehicle Administration, there is significantly more data on Real ID licenses than on previous versions. Federal mandates were designed to make federal buildings and commercial airlines more secure. **We don't need to give Target and Home Depot the same information we give the FBI.**

SB34, based on model language written by the American Association of Motor Vehicle Administrators (www.AAMVA.org) would regulate ID swiping except when:

- verifying age or identity;
- authenticating a driver's license or ID;
- collecting information required by law; or,
- being used by police officers acting within their legal duties.

Amendment:

I worked with the Maryland Association of Boards of Education on an amendment to ensure our schools can check school visitors against sexual predator records.

SB34 balances the interests of consumer privacy with legitimate business needs. I urge a favorable report on the bill again this year.