

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 355 Session of  
2011

---

INTRODUCED BY WOZNIAK, FOLMER, KITCHEN, ERICKSON, KASUNIC,  
D. WHITE, LEACH, ALLOWAY, BOSCOLA, EARLL, PIPPY, WILLIAMS,  
M. WHITE, STACK, FONTANA, ORIE, COSTA, WAUGH, FARNESE AND  
FERLO, FEBRUARY 1, 2011

---

REFERRED TO COMMUNICATIONS AND TECHNOLOGY, FEBRUARY 1, 2011

---

AN ACT

1 Providing for the electronic swiping of a driver's license or  
2 identification card.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the  
7 Identification Card Electronic Swiping Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Business." A proprietorship, partnership, corporation or  
13 any other form of commercial enterprise.

14 "Department." The Department of Transportation of the  
15 Commonwealth.

16 Section 3. Electronic swiping of cards.

17 (a) Permitted uses.--

1           (1) Any business may swipe a driver's license or  
2 identification card issued by the department in any  
3 electronic device for any of the following purposes:

4           (i) To verify the age or the authenticity of the  
5 driver's license or identification card.

6           (ii) To comply with a legal requirement to record,  
7 retain or transmit that information.

8           (iii) To transmit information to a check service  
9 company for the purpose of approving negotiable  
10 instruments, electronic funds transfers or similar  
11 methods of payments, provided that only the name and  
12 identification number from the license or the card may be  
13 used or retained by the check service company.

14           (iv) To collect or disclose personal information  
15 that is required for reporting, investigating or  
16 preventing fraud, abuse or material misrepresentation.

17           (2) A business may not retain or use any of the  
18 information obtained by that electronic means for any purpose  
19 other than as provided under this section.

20           (b) Violation.--A violation of this section constitutes a  
21 misdemeanor punishable by imprisonment in a county jail for not  
22 more than one year or by a fine of not more than \$10,000, or  
23 both.

24 Section 20. Effective date.

25 This act shall take effect in 60 days.