

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

SENATOR FOLMER, COMMUNICATIONS AND TECHNOLOGY, AS AMENDED, JUNE 15, 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.

1 (a) Permitted uses.--

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

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

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

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

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

18 (V) TO PROCESS, EFFECT, ADMINISTER OR ENFORCE A ←  
19 TRANSACTION REQUESTED BY THE HOLDER OF THE LICENSE OR  
20 IDENTIFICATION CARD.

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

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

28 Section 20. Effective date.

29 This act shall take effect in 60 days.