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# A BILL FOR AN ACT

RELATING TO PERSONAL INFORMATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 487J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 **"§487J- Unlawful use of Hawaii identification card or**  
5 **driver's license.** (a) No business may scan the machine-  
6 readable zone of an individual's Hawaii identification card or  
7 driver's license to use or retain any information contained  
8 therein, except for the following purposes:

- 9 (1) To verify the age of the individual who possesses the  
10 Hawaii identification card or driver's license;  
11 (2) To verify the authenticity of the Hawaii  
12 identification card or driver's license;  
13 (3) To record, retain, or transmit information as required  
14 by state or federal law; and  
15 (4) To transmit information to a consumer reporting  
16 agency, financial institution, or debt collector, for  
17 the purpose of approving, processing, or collecting



1 negotiable instruments, electronic funds transfers, or  
2 other methods of payments.

3 (b) A business, other than a consumer reporting agency,  
4 financial institution, or debt collector, may not retain or use  
5 any information obtained by the scanning of the machine-readable  
6 zone of an individual's Hawaii identification card or driver's  
7 license other than as provided herein and may not sell or  
8 otherwise disseminate any information obtained under this  
9 section to a third party for any purpose, including any  
10 marketing, advertising, or promotional activities.

11 (c) A business, other than a consumer reporting agency,  
12 financial institution, or debt collector, shall immediately  
13 purge or delete any information obtained by scanning the  
14 machine-readable zone of an individual's Hawaii identification  
15 card or driver's license no later than five days after scanning  
16 is completed.

17 (d) A business covered by this section shall make  
18 reasonable efforts to ensure that the requirements of this  
19 chapter are complied with through cooperation by systems testing  
20 and other means.

21 (e) For purposes of this section:



1       "Consumer reporting agency" shall have the same meaning as  
2 in the federal Fair Credit Reporting Act, title 15 United States  
3 Code section 1681a(f).

4       "Debt collector" shall have the same meaning as in the  
5 federal Fair Debt Collection Practices Act, title 15 United  
6 States Code section 1629a.

7       "Financial institution" shall have the same meaning as in  
8 the federal Gramm-Leach-Bliley Act, title 15 United States Code  
9 section 6809."

10       SECTION 2. Chapter 487J, Hawaii Revised Statutes, is  
11 amended by amending its title to read as follows:

12       "~~[SOCIAL SECURITY NUMBER]~~ PERSONAL INFORMATION PROTECTION"

13       SECTION 3. Section 487J-1, Hawaii Revised Statutes, is  
14 amended by adding a new definition to be appropriately inserted  
15 and to read as follows:

16       "Scan" means accessing the machine-readable zone of an  
17 individual's Hawaii identification card or driver's license by  
18 an electronic device capable of deciphering electronically  
19 readable information on an individual's Hawaii identification  
20 card or driver's license."

21       SECTION 4. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Personal Information; Unlawful Use of Hawaii Identification Card  
or Driver's License

**Description:**

Allows the scanning and retention of personal information  
contained in a Hawaii identification card or driver's license by  
certain specified entities for limited purposes. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

