

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 1880

S.P. 678

In Senate, December 17, 2001

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**An Act to Reduce Identity Theft by Requiring Truncated Credit Card Receipts.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Banking and Insurance and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL  
Secretary of the Senate

Presented by Senator MITCHELL of Penobscot.  
Cosponsored by Representative COLWELL of Gardiner and  
Senators: DAVIS of Piscataquis, SAWYER of Penobscot, SMALL of Sagadahoc,  
YOUNGBLOOD of Penobscot.

2  
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 9-A MRSA §8-306** is enacted to read:

6 **§8-306. Truncated credit card receipts**

8 1. Except as provided in this section, a person, firm,  
9 partnership, association, corporation or limited liability  
10 company that accepts credit cards for the transaction of business  
11 may not print more than the last 5 digits of the credit card  
12 account number and may not print the expiration date of the  
13 credit card on a receipt provided to a cardholder.

14 2. This section applies only to receipts that are  
15 electronically printed and does not apply to transactions in  
16 which the sole means of recording the cardholder's credit card  
17 number is by handwriting or by an imprint or copy of the credit  
18 card.

20 3. This section takes effect January 1, 2004 with respect  
21 to any cash register or other machine or device that  
22 electronically prints receipts for credit card transactions.

24 4. A person or business who violates this section is  
25 subject to a civil penalty not to exceed \$250 for the first  
26 violation and not to exceed \$1,000 for each subsequent violation,  
27 to be assessed and collected in an action brought by the  
28 Department of Professional and Financial Regulation, Office of  
29 Consumer Credit Regulation. A civil penalty may not be assessed  
30 for a violation of this section if the person or business shows  
31 by a preponderance of the evidence that the violation was not  
32 intentional and resulted from a bona fide error made despite the  
33 defendant's maintenance of procedures reasonably adopted to avoid  
34 such an error.

36 **SUMMARY**

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39 This bill prohibits a person from issuing to a cardholder a  
40 credit card receipt that contains more than the last 5 digits of  
41 the credit card or contains the expiration date. The bill does  
42 not apply if the only means of recording the card number is by  
43 handwriting or imprint.

44 This bill takes effect January 1, 2004.