

MAINE STATE LEGISLATURE

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L.D. 1802

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DATE: 2-11-04

(Filing No. H-683)

**MAJORITY
INSURANCE AND FINANCIAL SERVICES**

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1324, L.D. 1802, Bill, "An Act To Permit the Photocopying of Driver's Licenses in Financial Transactions"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, federal laws, including the USA PATRIOT Act, now require financial institutions and other supervised financial organizations to verify a person's identity for the consummation of financial transactions; and

Whereas, federal regulators and state law enforcement officials have suggested that maintaining a copy of a driver's license is an appropriate method to demonstrate compliance with federal law; and

Whereas, current Maine law prohibits the photocopying of a driver's license without the consent of the Secretary of State; and

Whereas, there is no prohibition on the photocopying of a United States passport or student identification card for identification purposes; and

Whereas, this statutory provision permits the photocopying of a driver's license for identification purposes in certain situations without the consent of the Secretary of State; and

COMMITTEE AMENDMENT

2 **Whereas**, this provision restricts the further disclosure of
the photocopy for the protection of private personal information;
4 and

6 **Whereas**, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
8 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
10 safety; now, therefore,

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

14 **Sec. 1. 29-A MRSA §2103, sub-§4**, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is further amended to
16 read:

18 **4. Printing or reproduction of motor vehicle document.** A
person commits a Class D crime if that person prints, prepares,
20 reproduces, sells or transfers without the written consent of the
Secretary of State a paper or document in the form of a
22 certificate of registration, driver's license or any other
certificate, permit, license or form used by the Secretary of
24 State in administering this Title. Notwithstanding this
subsection, a person may photocopy ~~a certificate of registration~~
26 ~~solely for record-keeping purposes~~ without the written consent of
the Secretary of State.:

28 A. A certificate of registration solely for record-keeping
30 purposes;

32 B. A driver's license solely for proof of identification
34 for the consummation of a financial transaction;

36 C. A driver's license solely to verify that a commercial
38 driver's license has been issued and only if the person
40 making the photocopy is an employer; or

42 D. A driver's license solely for motor vehicle loaner and
44 demonstration purposes pursuant to sections 1002 and 1003.

46 Any photocopy or other electronic copy of a driver's license or
48 certificate of registration permitted under this subsection must
be kept in a secure, nonpublic location and, unless permitted
pursuant to another applicable law, may not be published,
reproduced, distributed or disclosed for any other purpose.

Emergency clause. In view of the emergency cited in the
preamble, this Act takes effect when approved.'

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SUMMARY

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6 This amendment replaces the bill and is the majority report
8 of the committee. The amendment authorizes a person to make a
10 photocopy of a driver's license without the written consent of
12 the Secretary of State if the photocopy is made solely for
14 identification purposes to consummate a financial transaction,
16 for verification that a commercial driver's license has been
issued or for motor vehicle loaner and demonstration purposes.
The amendment also restricts the further disclosure of the
photocopy unless permitted by another applicable law.

14

16 The amendment adds an emergency preamble and emergency
clause.