

MAINE STATE LEGISLATURE

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MINORITY
INSURANCE AND FINANCIAL SERVICES

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

COMMITTEE AMENDMENT "B" 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, it has become a common business practice to request a photocopy of a person's driver's license for identification purposes; and

Whereas, under current Maine law, it is a crime to photocopy a driver's license without the consent of the Secretary of State; and

Whereas, there is no similar 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 with the consent of the Secretary of State or the holder of the driver's license; and

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

COMMITTEE AMENDMENT

2 **Whereas**, in the judgment of the Legislature, these facts
4 create an emergency within the meaning of the Constitution of
6 Maine and require the following legislation as immediately
8 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-A and 4-B** are enacted to read:

16 **4-A. Photocopy of driver's license.** Notwithstanding
18 subsection 4, a person may make a photocopy or other electronic
20 copy of a driver's license solely for proof of identification of
22 another person without the written consent of the Secretary of
24 State if the person obtains the written consent of the person
26 holding the driver's license.

28 **4-B. Storage of photocopies of motor vehicle documents.**
30 Any photocopy or other electronic copy of the image of a
32 certificate of registration or driver's license permitted
34 pursuant to subsection 4 or 4-A must be kept in a secure,
36 nonpublic location and, unless permitted pursuant to another
38 applicable law, may not be published, reproduced, distributed or
40 disclosed for any other purpose.

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

SUMMARY

 This amendment replaces the bill and is the minority report
of the committee. The amendment authorizes a person to make a
photocopy of a driver's license without the written consent of
the Secretary of State if the person obtains the written consent
of the holder of the driver's license. The amendment also
restricts the further disclosure of the photocopy or electronic
file unless permitted by another applicable law.

 The amendment adds an emergency preamble and emergency
clause.