

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 793

An Act to amend and reenact § 11-33.2 of the Code of Virginia, relating to improper use of payment device numbers.

[H 537]

Approved April 14, 2004

Be it enacted by the General Assembly of Virginia:

1. That § 11-33.2 of the Code of Virginia is amended and reenacted as follows:

§ 11-33.2. Improper use of payment device numbers.

A. No person, firm, partnership, association, or corporation that accepts ~~credit cards, debit cards or other~~ payment devices for the transaction of business *any purpose* shall print (i) more than the last five ~~four~~ digits of the ~~credit card number, debit card number or other~~ payment device number or (ii) the expiration date on any receipt provided to the ~~cardholder or holder of the other~~ payment device.

B. ~~This section shall apply only to receipts that are electronically printed and shall not apply to For~~ transactions in which the sole means of recording the person's ~~credit card number, debit card number or other~~ payment device number is by handwriting or by an imprint or copy of the ~~credit card, debit card or other~~ payment device, *no receipt, other than the one original, shall display the information prohibited in subsection A. Returning all copies, including carbons, that do not comply with this section, to the payment device holder or authorized user or destroying such copies and carbons in front of the payment device holder or authorized user shall constitute compliance with this section.*

C. The provisions of this section shall apply to all cash registers or other machines or devices that electronically print receipts for ~~credit card, debit card or other~~ payment device transactions that are placed in service on or after July 1, 2003.

D. For all cash registers or other machines or devices that electronically print receipts for ~~credit card, debit card or other~~ payment device transactions in service prior to July 1, 2003, the provisions of this subsection shall not apply until July 1, ~~2007~~ 2005.

E. Any violator of this section shall be liable to the ~~cardholder or other~~ payment device holder and the issuer for any damages or expenses, or both, including attorneys' fees, that the ~~cardholder or other~~ payment device holder incurs due to the use of the ~~cardholder's or other~~ payment device holder's ~~credit card, debit card or other~~ payment device without the permission of the ~~cardholder or other~~ payment device holder.