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**HOUSE BILL NO. 2412**

Offered January 19, 2017

A *BILL to amend the Code of Virginia by adding in Article 2 of Chapter 1 of Title 6.2 a section numbered 6.2-108, relating to the scanning by financial institutions of information from a driver's license.*

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Patron—Hugo (By Request)

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Referred to Committee on Commerce and Labor**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 2 of Chapter 1 of Title 6.2 a section numbered 6.2-108 as follows:**

**§ 6.2-108. Scanning information from driver's license.**

A. As used in this section, "driver's license" means an identification card or driver's license issued by any state.

B. No financial institution operating in the Commonwealth shall scan the machine-readable zone of a driver's license except when required to comply with a requirement imposed on the financial institution by state or federal law.

C. No financial institution operating in the Commonwealth shall retain any information obtained from a scan of the machine-readable zone of an individual's driver's license except when required to comply with a requirement imposed on the financial institution by state or federal law.

D. No financial institution operating in the Commonwealth shall sell or disseminate to a third party any information obtained from a scan of the machine-readable zone of an individual's driver's license for any marketing, advertising, or promotional purpose. This subsection shall not prohibit a financial institution from disseminating to a third party any such information when required to comply with a requirement imposed on the financial institution by state or federal law.

E. Any waiver of a provision of this section is contrary to public policy and is void and unenforceable.

F. A person aggrieved by a violation of any provision of this section shall be entitled to institute an action to recover damages in the amount of \$100 per violation. In addition, if the aggrieved party prevails, he may be awarded reasonable attorney fees and court costs. Actions under this section shall be brought in the general district court for the county or city in which the violation that gave rise to the action occurred.

INTRODUCED

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