

HB 1573 - AS INTRODUCED

2022 SESSION

22-2703

12/08

HOUSE BILL **1573**

AN ACT relative to prohibitions on drivers' licenses.

SPONSORS: Rep. Andrew Bouldin, Hills. 12; Rep. Amanda Bouldin, Hills. 12

COMMITTEE: Transportation

ANALYSIS

This bill clarifies that a person may record or store personal information from a driver's license with the consent of the license holder.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to prohibitions on drivers' licenses.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Driver's License Prohibitions; Misdemeanors. Amend RSA 263:12, X to read as follows:

2 X. Knowingly scan, record, retain, or store, in any electronic form or format, personal
3 information, as defined in RSA 260:14, obtained from any license, unless authorized by the
4 department ***or with the consent of the license holder***. Nothing in this paragraph shall prohibit a
5 person from transferring, in non-electronic form or format, personal information contained on the
6 face of a license to another person, provided that the consent of the license holder is obtained if the
7 transfer is not to a law enforcement agency. Notwithstanding any other provision of law, any person
8 selling alcohol or tobacco who uses due diligence in checking identification to prevent unauthorized
9 sales and purchases of alcohol and tobacco shall not be held responsible for the acceptance of
10 fraudulent identification. Where due diligence is exercised on the part of the seller, the
11 unauthorized purchaser shall be liable for any penalty or fine resulting from the unauthorized sale.
12 This paragraph shall not prohibit the scanning, recording, retaining, or storing of such information
13 in electronic form collected with the license holder's consent as part of a sale of merchandise to a
14 pawnbroker or other secondhand dealer, and submission of such information to law enforcement
15 databases for the sole purpose of identifying sellers of stolen merchandise. The pawnbroker or
16 secondhand dealer shall not retain the scanned information in electronic form transmitted to a law
17 enforcement database, unless required by local regulation, and shall not furnish the information to
18 anyone except a law enforcement officer. The pawnbroker or secondhand dealer may maintain in a
19 log or other document the name and address of the person whose license was scanned along with a
20 description of the items the individual sold, pawned, or purchased, and shall allow such log or
21 document to be examined by a law enforcement official upon request.

22 2 Effective Date. This act shall take effect 60 days after its passage.