

AN ACT concerning

Consumer Protection – Payments by Check – Use of Credit Card Information

FOR the purpose of altering the provisions of the Maryland Consumer Protection Act to prohibit a person from requesting or recording the account number ~~or expiration date~~ of any credit card of the drawer of a check or other draft as a condition of accepting the check or other draft as payment for consumer credit, goods, realty, or services ~~under certain circumstances~~; permitting a person to request or record certain credit card information of a drawer of a check or other draft ~~or of any consumer~~ under certain circumstances; defining a certain ~~term~~; terms; providing for a delayed effective date; and generally relating to the use of credit card information in accepting payments made by check.

BY adding to

Article – Commercial Law

Section 13-317

Annotated Code of Maryland

(1983 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Commercial Law

13-317.

(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DRAWER” MEANS THE INDIVIDUAL WHO MAKES OR SIGNS A CHECK OR OTHER DRAFT.

(3) “DRAFT” DOES NOT INCLUDE A CREDIT OR DEBIT CARD SALES DRAFT.

(B) SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, AS A CONDITION OF ACCEPTING A CHECK OR OTHER DRAFT AS PAYMENT FOR CONSUMER CREDIT, GOODS, REALTY, OR SERVICES, A PERSON MAY NOT REQUEST OR RECORD THE ACCOUNT NUMBER OR EXPIRATION DATE OF ANY CREDIT CARD OF THE DRAWER OF THE CHECK OR OTHER DRAFT PROVIDED THE DRAWER PROVIDES AN ALTERNATIVE FORM OF IDENTIFICATION THAT HAS BEEN ISSUED BY AN EMPLOYER, GOVERNMENTAL AGENCY, EDUCATIONAL INSTITUTION, OR OTHER BONA FIDE ENTITY THAT BEARS THE DRAWER’S SOCIAL SECURITY NUMBER.