
DIGEST

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HB 810 Original

2020 Regular Session

James

Abstract: Provides for the acceptance of digitized identification cards by financial institutions and persons engaged in trade or commerce.

Present law authorizes a resident to have a digitized driver's license or identification card provided by the Dept. of Public Safety and Corrections, office of motor vehicles, as an alternative to a physical driver's license or identification card.

Proposed law retains present law.

Present law provides that when so requested, in connection with requests for identification that are not associated with traffic stops or checkpoints, a person may be required to produce a physical driver's license to law enforcement, a state or federal department or agency, or a private entity.

Proposed law removes the requirement to produce a physical license to a state department or agency or a private entity when so requested, in connection with requests for identification that are not associated with traffic stops or checkpoints.

Proposed law defines "consumer", "customer", "digitized identification card", "person", and "trade" or "commerce".

Proposed law requires financial institutions to accept the digitized identification card of a customer as a valid form of identification when identification is requested for the purpose of proving the customer's identity. Further, proposed law provides that a copy, photograph, or image of a digitized identification card that is not downloaded through the application on a mobile device is not a valid digitized identification card.

Proposed law specifies that display of a digitized identification card does not serve as consent or authorization for a financial institution to view, search, or access any other data or application on the mobile device and requires that a financial institution promptly return the mobile device to the customer once the financial institution has had an opportunity to verify the customer's identity and current status of the license or identification card.

Proposed law requires a person who is engaged in trade or commerce to accept the digitized identification card of a consumer as a valid form of identification when identification is requested for the purpose of proving the consumer's identity. Further, proposed law provides that a copy, photograph, or image of a digitized identification card that is not downloaded through the application

on a mobile device is not a valid digitized identification card.

Proposed law specifies that display of a digitized identification card does not serve as consent or authorization for a person to view, search, or access any other data or application on the mobile device and requires that a person promptly return the mobile device to the consumer once the person has had an opportunity to verify the consumer's identity and current status of the license or identification card.

Proposed law provides that the state or any of its agencies shall under no circumstances be held liable as a result of the use or misuse of a digitized identification card.

(Amends R.S. 40:1321(B)(2)(c); Adds R.S. 6:2(18) and 6 and R.S. 51:3211 and 3212)