

pose not permitted under this chapter shall be liable to the individual to whom the information pertains, who may bring a civil action in a United States district court.

(b) REMEDIES.—The court may award—

- (1) actual damages, but not less than liquidated damages in the amount of \$2,500;
- (2) punitive damages upon proof of willful or reckless disregard of the law;
- (3) reasonable attorneys' fees and other litigation costs reasonably incurred; and
- (4) such other preliminary and equitable relief as the court determines to be appropriate.

(Added Pub. L. 103-322, title XXX, §300002(a), Sept. 13, 1994, 108 Stat. 2101.)

EFFECTIVE DATE

Section effective on the date that is 3 years after Sept. 13, 1994, with provisions relating to release of personal information before the effective date and compliance after such date, see section 300003 of Pub. L. 103-322, set out as a note under section 2721 of this title.

§ 2725. Definitions

In this chapter—

(1) "motor vehicle record" means any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;

(2) "person" means an individual, organization or entity, but does not include a State or agency thereof;

(3) "personal information" means information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.¹

(4) "highly restricted personal information" means an individual's photograph or image, social security number, medical or disability information; and

(5) "express consent" means consent in writing, including consent conveyed electronically that bears an electronic signature as defined in section 106(5) of Public Law 106-229.

(Added Pub. L. 103-322, title XXX, §300002(a), Sept. 13, 1994, 108 Stat. 2102; amended Pub. L. 106-346, §101(a) [title III, §309(b)], Oct. 23, 2000, 114 Stat. 1356, 1356A-24.)

REFERENCES IN TEXT

Section 106(5) of Public Law 106-229, referred to in par. (5), is classified to section 7006(5) of Title 15, Commerce and Trade.

AMENDMENTS

2000—Pars. (4), (5). Pub. L. 106-346 added pars. (4) and (5).

EFFECTIVE DATE

Section effective on the date that is 3 years after Sept. 13, 1994, with provisions relating to release of personal information before the effective date and compliance after such date, see section 300003 of Pub. L. 103-322, set out as a note under section 2721 of this title.

¹ So in original. The period probably should be a semicolon.

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AMENDMENTS

2016—Pub. L. 114-316, §2(b)(1), Dec. 16, 2016, 130 Stat. 1593, struck out "trafficking in persons" before "offenses" in item for chapter 212A.

Pub. L. 114-236, §2(b), Oct. 7, 2016, 130 Stat. 967, added item for chapter 238.

2006—Pub. L. 109-164, title I, §103(a)(2), Jan. 10, 2006, 119 Stat. 3563, added item for chapter 212A.

2004—Pub. L. 108-405, title I, §102(b), title IV, §411(a)(2), Oct. 30, 2004, 118 Stat. 2264, 2284, added items for chapters 228A and 237.

2000—Pub. L. 106-523, §2(b), Nov. 22, 2000, 114 Stat. 2492, added item for chapter 212.

1994—Pub. L. 103-359, title VIII, §803(c)(1), Oct. 14, 1994, 108 Stat. 3439, substituted "terrorist acts and espionage" for "terrorists acts" in item for chapter 204.

Pub. L. 103-322, title VI, §60002(b), Sept. 13, 1994, 108 Stat. 1968, added item for chapter 228.

1988—Pub. L. 100-702, title IV, §404(a)(1), Nov. 19, 1988, 102 Stat. 4651, struck out item 237 "Rules of criminal procedure".

1986—Pub. L. 99-646, §41(d), Nov. 10, 1986, 100 Stat. 3600, struck out item for chapter 232 "Special forfeiture of collateral profits of crime" and added item for chapter 232A.

Pub. L. 99-508, title III, §301(b), Oct. 21, 1986, 100 Stat. 1872, added item for chapter 206.

1984—Pub. L. 98-533, title I, §101(b), Oct. 19, 1984, 98 Stat. 2708, added item for chapter 204.

¹ So in original. First word only of item should be capitalized. ² So in original. Does not conform to chapter heading and first word only of item should be capitalized.