

section 300002 [enacting this chapter] shall become effective on the date that is 3 years after the date of enactment of this Act [Sept. 13, 1994]. After the effective date, if a State has implemented a procedure under section 2721(b)(11) and (12) of title 18, United States Code, as added by section 2902 [probably should be section “300002(a)”], for prohibiting disclosures or uses of personal information, and the procedure otherwise meets the requirements of subsection (b)(11) and (12), the State shall be in compliance with subsection (b)(11) and (12) even if the procedure is not available to individuals until they renew their license, title, registration or identification card, so long as the State provides some other procedure for individuals to contact the State on their own initiative to prohibit such uses or disclosures. Prior to the effective date, personal information covered by the amendment made by section 300002 may be released consistent with State law or practice.”

SHORT TITLE

Pub. L. 103-322, title XXX, §300001, Sept. 13, 1994, 108 Stat. 2099, provided that: “This title [enacting this chapter] may be cited as the ‘Driver’s Privacy Protection Act of 1994.’”

RELATIONSHIP TO OTHER LAW

The Consumer Credit Reporting Reform Act of 1996 [see Short Title note set out under section 1601 of Title 15, Commerce and Trade] not to be considered to supersede or otherwise affect this section with respect to motor vehicle records for surveys, marketing, or solicitations, see section 2421 of Pub. L. 104-208, set out as a note under section 1681a of Title 15.

§ 2722. Additional unlawful acts

(a) **PROCUREMENT FOR UNLAWFUL PURPOSE.**—It shall be unlawful for any person knowingly to obtain or disclose personal information, from a motor vehicle record, for any use not permitted under section 2721(b) of this title.

(b) **FALSE REPRESENTATION.**—It shall be unlawful for any person to make false representation to obtain any personal information from an individual’s motor vehicle record.

(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.

§ 2723. Penalties

(a) **CRIMINAL FINE.**—A person who knowingly violates this chapter shall be fined under this title.

(b) **VIOLATIONS BY STATE DEPARTMENT OF MOTOR VEHICLES.**—Any State department of motor vehicles that has a policy or practice of substantial noncompliance with this chapter shall be subject to a civil penalty imposed by the Attorney General of not more than \$5,000 a day for each day of substantial noncompliance.

(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.

§ 2724. Civil action

(a) **CAUSE OF ACTION.**—A person who knowingly obtains, discloses or uses personal information, from a motor vehicle record, for a purpose 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 per-

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

sonal 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.

PART II—CRIMINAL PROCEDURE

Table with 2 columns: Chap. and Sec. listing sections 201 through 238 with their respective section numbers.

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.

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.

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.
Pub. L. 98-473, title II, §§203(d), 212(b), 1209(a), 1406(b), Oct. 12, 1984, 98 Stat. 1985, 2011, 2163, 2176, inserted “and detention pending judicial proceedings” in item for chapter 207, added items for chapters 224, 227, 229, 231, and 232, and struck out items for former chapters 227 “Sentence, judgment, and execution”, 229 “Fines, penalties and forfeitures” and 231 “Probation”.
1975—Pub. L. 93-619, title I, §102, Jan. 3, 1975, 88 Stat. 2086, added item for chapter 208.
1970—Pub. L. 91-452, title I, §101(b), Oct. 15, 1970, 84 Stat. 926, added item for chapter 216.
1968—Pub. L. 90-578, title III, §301(c), Oct. 17, 1968, 82 Stat. 1115, substituted “Trial by United States magistrates” for “Trial by commissioners” in item for chapter 219.
1966—Pub. L. 89-465, §5(e)(2), June 22, 1966, 80 Stat. 217, substituted “Release” for “Bail” in item for chapter 207.

CHANGE OF NAME

“United States magistrate judges” substituted for “United States magistrates” in item for chapter 219 pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

CHAPTER 201—GENERAL PROVISIONS

Table with 2 columns: Sec. and description of rules 3001 through 3014.

AMENDMENTS

2015—Pub. L. 114-22, title I, §101(b), May 29, 2015, 129 Stat. 230, added item 3014.
1984—Pub. L. 98-473, title II, §§218(c), 1405(b), Oct. 12, 1984, 98 Stat. 2027, 2175, added item 3013 and substituted “Repealed” for “Orders respecting persons in custody” in item 3012.
1964—Pub. L. 88-455, §4, Aug. 20, 1964, 78 Stat. 554, added item 3006A.

LAW ENFORCEMENT ASSISTANCE ACT OF 1965

Note regarding Pub. L. 89-197, §§1-11, Sept. 22, 1965, 79 Stat. 828, which was amended and subsequently repealed, has been editorially reclassified in a note preceding section 10101 of Title 34, Crime Control and Law Enforcement.

COORDINATION OF FEDERAL LAW ENFORCEMENT AND CRIME PREVENTION PROGRAMS

Designation of Attorney General to coordinate Federal law enforcement and crime prevention programs, see Ex. Ord. No. 11396, Feb. 7, 1968, 33 F.R. 2689, set out as a note preceding section 10101 of Title 34, Crime Control and Law Enforcement.

§3001. Procedure governed by rules; scope, purpose and effect; definition of terms; local rules; forms—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Scope, rule 1.