

## CHAPTER 208-A

### PROTECTION OF SOCIAL SECURITY NUMBERS

#### §1271. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 115, §1 (NEW).]

**1. Credit card.** "Credit card" means a card, plate, coupon book or other single credit device that may be used to obtain credit.

[PL 1993, c. 115, §1 (NEW).]

**2. Customer service card.** "Customer service card" means a card, plate, code or other device used by a business as a means of identifying customers who receive membership, purchasing or check-cashing privileges, or other rights or privileges by possession and use of that device.

[PL 1993, c. 115, §1 (NEW).]

**3. Debit card.** "Debit card" means a card, code or other device, other than a check, draft or similar paper instrument, by the use of which a person may institute an electronic fund transfer.

[PL 1993, c. 115, §1 (NEW).]

**REVISOR'S NOTE:** §1271. Definitions (As enacted by PL 1993, c. 683, Pt. B, §1 was REPEALED by PL 1995, c. 462, Pt. A, §21)

#### SECTION HISTORY

PL 1993, c. 115, §1 (NEW). PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

#### §1272. Prohibition

A business operating in this State may not display a social security number on a credit card, customer service card or debit card issued or distributed by that business on or after January 1, 1994. [PL 1993, c. 115, §1 (NEW).]

Notwithstanding this section, social security numbers may be used as identification for medical insurance, including health insurance, dental insurance or prescription drug coverage, except that a number other than a social security number must be used for insurance-related identification purposes upon the written request of an individual. [PL 1995, c. 134, §1 (NEW).]

**REVISOR'S NOTE:** §1272. Usage of trade (As enacted by PL 1993, c. 683, Pt. B, §1 was REPEALED BY PL 1995, c. 462, Pt. A, §21)

#### SECTION HISTORY

PL 1993, c. 115, §1 (NEW). PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 134, §1 (AMD). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

#### §1272-A. Exemptions from prohibition

**(REPEALED)**

#### SECTION HISTORY

PL 1993, c. 533, §1 (NEW). PL 1995, c. 134, §2 (RP).

#### §1272-B. Refusal to provide social security number

**1. No denial of goods or services.** Except as otherwise provided in federal or state law, a person, corporation or other entity may not deny goods or services to an individual because the individual refuses to provide a social security number.

[PL 2003, c. 512, §1 (NEW).]

**2. Exemptions.** This section does not apply to:

A. A person, corporation or other entity requesting disclosure of the social security number to obtain a consumer report for any purpose permitted under the Fair Credit Reporting Act or the United States Fair Credit Reporting Act; [PL 2003, c. 512, §1 (NEW).]

B. A supervised lender as defined in Title 9-A, section 1-301; [PL 2003, c. 512, §1 (NEW).]

C. A supervised financial organization as defined in Title 9-A, section 1-301; [PL 2003, c. 512, §1 (NEW).]

D. An affiliate or subsidiary of a supervised lender as defined in Title 9-A, section 1-301 or of a supervised financial organization as defined in Title 9-A, section 1-301; [PL 2003, c. 512, §1 (NEW).]

E. A person, corporation or other entity that provides goods or services to the individual on behalf of or in conjunction with a supervised financial organization as defined in Title 9-A, section 1-301; [PL 2003, c. 512, §1 (NEW).]

F. A person, corporation or other entity engaged in the business of insurance and all acts necessary or incidental to that business including insurance applications, enrollment, coverage and claims; [PL 2003, c. 512, §1 (NEW).]

G. A person, corporation or other entity if the social security number is used in conjunction with the provision of and billing for health care or pharmaceutical-related services, including the issuance of identification cards and account numbers for users of health care or pharmaceutical-related services; [PL 2003, c. 512, §1 (NEW).]

H. A person, corporation or other entity if the social security number is used in conjunction with a background check of the individual conducted by a landlord, lessor, employer or volunteer service organization; or [PL 2003, c. 512, §1 (NEW).]

I. A person, corporation or other entity if the social security number is necessary to verify the identity of the individual to effect, administer or enforce a specific transaction requested or authorized by the individual or to prevent fraud. [PL 2003, c. 512, §1 (NEW).]

[PL 2003, c. 512, §1 (NEW).]

## SECTION HISTORY

PL 2003, c. 512, §1 (NEW).

### §1273. Administrative enforcement

The Superintendent of Consumer Credit Protection may take appropriate action to ensure compliance with this chapter, including without limitation: to receive and act on complaints; negotiate an assurance in writing that a violator will not engage in the same or similar conduct in the future; conduct hearings in accordance with the Maine Administrative Procedure Act and issue a cease and desist order for violation of this chapter; and refer cases to the Attorney General, who may bring a civil action against a person for knowingly violating a written assurance of discontinuance. If a court finds a violation of this chapter it may assess a civil forfeiture of not more than \$1,000. [PL 2021, c. 245, Pt. A, §6 (AMD).]

**REVISOR'S NOTE:** §1273. Notice of termination of dealer agreements (As enacted by PL 1993, c. 683, Pt. B, §1 was REPEALED by PL 1995, c. 462, Pt. A, §21)

**SECTION HISTORY**

PL 1993, c. 115, §1 (NEW). PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 309, §27 (AMD). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF). PL 2021, c. 245, Pt. A, §6 (AMD).

**§1274. Supplier's duty to repurchase**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1275. Repurchase terms**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1276. Exceptions to repurchase requirement**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1277. Transfer of business**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1278. Uniform commercial practice**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1279. Warranty obligations**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1280. Remedies**

**(REPEALED)**

**SECTION HISTORY**

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1281. Management****(REPEALED)**

## SECTION HISTORY

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1282. Waiver of chapter void****(REPEALED)**

## SECTION HISTORY

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1283. Applicability****(REPEALED)**

## SECTION HISTORY

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

**§1284. Reasonableness and good faith****(REPEALED)**

## SECTION HISTORY

PL 1993, c. 683, §B1 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 462, §A21 (RP). PL 1995, c. 462, §A23 (AFF).

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