

United States Code Annotated
Title 12. Banks and Banking
Chapter 16. Federal Deposit Insurance Corporation (Refs & Annos)

12 U.S.C.A. § 1829c

§ 1829c. Making online banking initiation legal and easy

Effective: May 24, 2018

[Currentness](#)

(a) Definitions

In this section:

(1) Affiliate

The term “affiliate” has the meaning given the term in [section 1841](#) of this title.

(2) Driver's license

The term “driver's license” means a license issued by a State to an individual that authorizes the individual to operate a motor vehicle on public streets, roads, or highways.

(3) Federal bank secrecy laws

The term “Federal bank secrecy laws” means--

(A) [section 1829b](#) of this title;

(B) [section 1953](#) of this title; and

(C) subchapter II of chapter 53 of Title 31.

(4) Financial institution

The term “financial institution” means--

(A) an insured depository institution;

(B) an insured credit union; or

(C) any affiliate of an insured depository institution or insured credit union.

(5) Financial product or service

The term “financial product or service” has the meaning given the term in [section 5481](#) of this title.

(6) Insured credit union

The term “insured credit union” has the meaning given the term in [section 1752](#) of this title.

(7) Insured depository institution

The term “insured depository institution” has the meaning given the term in [section 1813](#) of this title.

(8) Online service

The term “online service” means any Internet-based service, such as a website or mobile application.

(9) Personal identification card

The term “personal identification card” means an identification document issued by a State or local government to an individual solely for the purpose of identification of that individual.

(10) Personal information

The term “personal information” means the information displayed on or electronically encoded on a driver's license or personal identification card that is reasonably necessary to fulfill the purpose and uses permitted by subsection (b).

(11) Scan

The term “scan” means the act of using a device or software to decipher, in an electronically readable format, personal information displayed on or electronically encoded on a driver's license or personal identification card.

(12) State

The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other commonwealth, possession, or territory of the United States.

(b) Use of a driver's license or personal identification card

(1) In general

When an individual initiates a request through an online service to open an account with a financial institution or obtain a financial product or service from a financial institution, the financial institution may record personal information from a scan of the driver's license or personal identification card of the individual, or make a copy or receive an image of the driver's license or personal identification card of the individual, and store or retain such information in any electronic format for the purposes described in paragraph (2).

(2) Uses of information

Except as required to comply with Federal bank secrecy laws, a financial institution may only use the information obtained under paragraph (1)--

(A) to verify the authenticity of the driver's license or personal identification card;

(B) to verify the identity of the individual; and

(C) to comply with a legal requirement to record, retain, or transmit the personal information in connection with opening an account or obtaining a financial product or service.

(3) Deletion of image

A financial institution that makes a copy or receives an image of a driver's license or personal identification card of an individual in accordance with paragraphs (1) and (2) shall, after using the image for the purposes described in paragraph (2), permanently delete--

(A) any image of the driver's license or personal identification card, as applicable; and

(B) any copy of any such image.

(4) Disclosure of personal information

Nothing in this section shall be construed to amend, modify, or otherwise affect any State or Federal law that governs a financial institution's disclosure and security of personal information that is not publicly available.

(c) Relation to State law

The provisions of this section shall preempt and supersede any State law that conflicts with a provision of this section, but only to the extent of such conflict.

CREDIT(S)

(Pub.L. 115-174, Title II, § 213, May 24, 2018, 132 Stat. 1319.)

12 U.S.C.A. § 1829c, 12 USCA § 1829c

Current through P.L. 117-57. Some statute sections may be more current, see credits for details.

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