

ENROLLMENT(S)



COUNCIL OF THE DISTRICT OF COLUMBIA

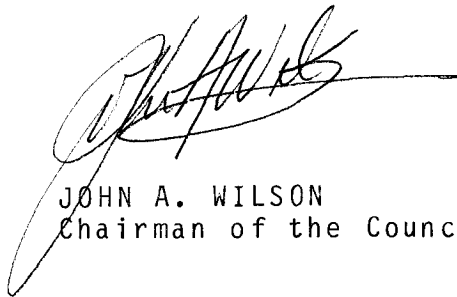
NOTICE

D.C. LAW 9-69

"Use of Consumer Identification Information Act of 1991".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-111 on first and second readings, November 5, 1991, and December 3, 1991, respectively. Following the signature of the Mayor on December 20, 1991, this legislation was assigned Act No. 9-120, published in the January 3, 1992, edition of the D.C. Register, (Vol. 39 page 16) and transmitted to Congress on January 7, 1992 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-69, effective March 11, 1992.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 21,22,23,24,27,28,29,30,31

February 3,4,5,6,7,18,19,20,21,24,25,26,27,28

March 2,3,4,5,6,9,10

AN ACT

Codification

D.C. ACT 9-120

District of Columbia Code

1992 Supplement

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 20, 1991

New Chapter 31A,
Title 47

To provide that as a condition of accepting a check as payment for a sale of goods or services, a person may not require that a drawer produce a credit card; and to provide that as a condition of accepting a credit card as payment for a sale of goods or services, a person may not request or record the address or telephone number of a credit card holder.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Use of Consumer Identification Information Act of 1991".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Drawer" means an individual who makes or signs a check or other draft, but not including a credit or debit card sales draft.
- (2) "Sale" means any:
 - (A) Offer, or attempt to sell merchandise, real property, or intangibles for cash or credit; or
 - (B) Service or offer for service which relates to any person, building, or equipment.
- (3) "Service" means any:
 - (A) Building repair or improvement service;
 - (B) Subprofessional service;
 - (C) Repair of a motor vehicle, home appliance, or other similar commodity; or
 - (D) Repair, installation, or other servicing of any plumbing, heating, electrical, or mechanical device.

New
Section
47-3151

Sec. 3. Use of credit card information in connection with payment by check.

No person shall, as a condition of accepting a check as payment for a sale of goods or services, require that a drawer produce a credit card as a means of identification or for any other purpose.

New
Section
47-3152

Sec. 4. Use of consumer identification information in connection with credit card payments.

(a) Except as provided in subsection (b) of this section, no person shall, as a condition of accepting a credit card as payment for a sale of

New
Section
47-3153

_____ 10/10/10

Director of Corrections

Corrections

10/10/10

goods or services, request or record the address or telephone number of a credit card holder on the credit card transaction form.

(b) A person may record the address or telephone number of a credit card holder if the information is necessary for the shipment, delivery, or installation of consumer goods, or special orders of consumer goods or services.

Sec. 5. Penalties.

New
Section
47-3154

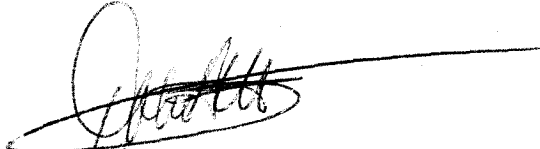
(a) Any person aggrieved by a violation of section 3 or 4 shall be entitled to institute an action to recover actual damages or \$500, whichever is greater, and for injunctive relief against any person who has engaged in any act in violation of this act.

(b) In the event the aggrieved party prevails, reasonable attorney's fees and court costs may be awarded in addition to any damages awarded.


(c) This section shall not be construed to impose liability on any employee or agent of an employer when that employee or agent has acted in accordance with the direction of his or her employer.

Sec. 6. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, §1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: December 20, 1991



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-111

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted First Reading, 11-5-91

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: all present

[] ROLL CALL VOTE: - RESULT (/ /)

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Shirley Jones, Secretary to the Council

Date: December 10, 1991

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted Final Reading, 12-3-91

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: all present

[] ROLL CALL VOTE: - RESULT (/ /)

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Shirley Jones, Secretary to the Council

Date: December 10, 1991

[] Item on Consent Calendar

[] ACTION & DATE:

[] VOICE VOTE:

Recorded vote on request

Absent:

[] ROLL CALL VOTE: - RESULT (/ /)

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date