

SUBCHAPTER F—THE FAIR CREDIT REPORTING ACT

PART 600 [RESERVED]

PART 602—FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003

AUTHORITY: 15 U.S.C. 1681s; sec. 3, Pub. L. 108-159; 117 Stat. 1953.

§ 602.1 Effective dates.

(a)–(b) [Reserved]

(c) The applicable provisions of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act), Pub. L. 108-159, 117 Stat. 1952, shall be effective in accordance with the following schedule:

(1) *Provisions effective December 31, 2003.*

(i) Sections 151(a)(2), 212(e), 214(c), 311(b), and 711, concerning the relation to state laws; and

(ii) Each of the provisions of the FACT Act that authorizes an agency to issue a regulation or to take other action to implement the applicable provision of the FACT Act or the applicable provision of the Fair Credit Reporting Act, as amended by the FACT Act, but only with respect to that agency's authority to propose and adopt the implementing regulation or to take such other action.

(2) *Provisions effective March 31, 2004.*

(i) Section 111, concerning the definitions;

(ii) Section 156, concerning the statute of limitations

(iii) Sections 312(d), (e), and (f), concerning the furnisher liability exception, liability and enforcement, and rule of construction, respectively;

(iv) Section 313(a), concerning action regarding complaints;

(v) Section 611, concerning communications for certain employee investigations; and

(vi) Section 811, concerning clerical amendments.

(3) *Provisions effective December 1, 2004.*

(i) Section 112, concerning fraud alerts and active duty alerts;

(ii) Section 114, concerning procedures for the identification of possible instances of identity theft;

(iii) Section 115, concerning truncation of the social security number in a consumer report;

(iv) Section 151(a)(1), concerning the summary of rights of identity theft victims;

(v) Section 152, concerning blocking of information resulting from identity theft;

(vi) Section 153, concerning the coordination of identity theft complaint investigations;

(vii) Section 154, concerning the prevention of repollution of consumer reports;

(viii) Section 155, concerning notice by debt collectors with respect to fraudulent information;

(ix) Section 211(c), concerning a summary of rights of consumers;

(x) Section 212(a)–(d), concerning the disclosure of credit scores;

(xi) Section 213(c), concerning duration of elections;

(xii) Section 217(a), concerning the duty to provide notice to a consumer;

(xiii) Section 311(a), concerning the risk-based pricing notice;

(xiv) Section 312(a)–(c), concerning procedures to enhance the accuracy and integrity of information furnished to consumer reporting agencies;

(xv) Section 314, concerning improved disclosure of the results of reinvestigation;

(xvi) Section 315, concerning reconciling addresses;

(xvii) Section 316, concerning notice of dispute through reseller; and

(xviii) Section 317, concerning the duty to conduct a reasonable reinvestigation.

[69 FR 29063, May 20, 2004]

PART 603—DEFINITIONS

AUTHORITY: Pub. L. 108-159, sec. 111; 15 U.S.C. 1681a.

SOURCE: 77 FR 22203, Apr. 13, 2012, unless otherwise noted.

§ 603.1 Cross-reference.

The rules formerly at 16 CFR part 603 have been republished by the Consumer Financial Protection Bureau at 12 CFR

Federal Trade Commission

§ 640.1

1022.3, “Fair Credit Reporting (Regulation V).”

PART 604—FAIR CREDIT REPORTING ACT RULES

AUTHORITY: Pub. L. 108-159, secs. 3, 111, 112, 114, 151, 153, 211, 212, 213, 214, 216, 311, 315; 15 U.S.C. 1681s.

§ 604.1 Severability.

All parts and subparts of this subchapter are separate and severable from one another. If any part or subpart is stayed or determined to be invalid, the Commission intends that the remaining parts and subparts shall continue in effect.

[69 FR 29063, May 20, 2004]

PART 610—FREE ANNUAL FILE DISCLOSURES

AUTHORITY: 15 U.S.C. 1681a, g, and h; sec. 211(a) and (d), Pub. L. 108-159, 117 Stat. 1968 and 1972 (15 U.S.C. 1681j); Pub. L. 111-24.

SOURCE: 77 FR 22203, Apr. 13, 2012, unless otherwise noted.

§ 610.1 Cross-reference.

The rules formerly at 16 CFR part 610 have been republished by the Consumer Financial Protection Bureau at 12 CFR 1022.130, “Fair Credit Reporting (Regulation V).”

PART 611—PROHIBITION AGAINST CIRCUMVENTING TREATMENT AS A NATIONWIDE CONSUMER REPORTING AGENCY

AUTHORITY: Pub. L. 108-159, sec. 211(b); 15 U.S.C. 1681x.

SOURCE: 77 FR 22203, Apr. 13, 2012, unless otherwise noted.

§ 611.1 Cross-reference.

The rules formerly at 16 CFR part 611 have been republished by the Consumer Financial Protection Bureau at 12 CFR 1022.140, “Fair Credit Reporting (Regulation V).”

PART 613—DURATION OF ACTIVE DUTY ALERTS

AUTHORITY: Pub. L. 108-159, sec. 112(a); 15 U.S.C. 1681c-1.

SOURCE: 77 FR 22203, Apr. 13, 2012, unless otherwise noted.

§ 613.1 Cross-reference.

The rules formerly at 16 CFR part 613 have been republished by the Consumer Financial Protection Bureau at 12 CFR 1022.121, “Fair Credit Reporting (Regulation V).”

PART 614—APPROPRIATE PROOF OF IDENTITY

AUTHORITY: Pub. L. 108-159, sec. 112(b).

SOURCE: 77 FR 22204, Apr. 13, 2012, unless otherwise noted.

§ 614.1 Cross-reference.

The rules formerly at 16 CFR part 614 have been republished by the Consumer Financial Protection Bureau at 12 CFR 1022.123, “Fair Credit Reporting (Regulation V).”

PART 640—DUTIES OF CREDITORS REGARDING RISK-BASED PRICING

Sec.

640.1 Scope.

640.2 Definitions.

640.3 General requirements for risk-based pricing notices.

640.4 Content, form, and timing of risk-based pricing notices.

640.5 Exceptions.

640.6 Rules of construction.

AUTHORITY: Pub. L. 108-159, sec. 311; 15 U.S.C. 1681m(h).

SOURCE: 75 FR 2769, Jan. 15, 2010, unless otherwise noted.

§ 640.1 Scope.

(a) *Coverage*—(1) *In general.* This part applies to any person that both—

(i) Uses a consumer report in connection with an application for, or a grant, extension, or other provision of, credit to a consumer that is primarily for personal, family, or household purposes; and

(ii) Based in whole or in part on the consumer report, grants, extends, or