

sede 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2722 of this title.

§ 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.)

§ 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.)

§ 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.)

§ 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; and

(3) “personal information” means information that identifies an individual, including an individual’s photograph, social security number, driver identification number, name, ad-

dress (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.

(Added Pub. L. 103-322, title XXX, §300002(a), Sept. 13, 1994, 108 Stat. 2102.)

PART II—CRIMINAL PROCEDURE

Table with 2 columns: Chap. and Sec. listing sections 201-235 and their corresponding section numbers.

AMENDMENTS

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.

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.

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.