

SUBCHAPTER IV—RENTAL CAR AGENCY  
INSURANCE ACTIVITIES

**§ 6781. Standard of regulation for motor vehicle rentals**

**(a) Protection against retroactive application of regulatory and legal action**

Except as provided in subsection (b) of this section, during the 3-year period beginning on November 12, 1999, it shall be a presumption that no State law imposes any licensing, appointment, or education requirements on any person who solicits the purchase of or sells insurance connected with, and incidental to, the lease or rental of a motor vehicle.

**(b) Preeminence of State insurance law**

No provision of this section shall be construed as altering the validity, interpretation, construction, or effect of—

- (1) any State statute;
- (2) the prospective application of any court judgment interpreting or applying any State statute; or
- (3) the prospective application of any final State regulation, order, bulletin, or other statutorily authorized interpretation or action,

which, by its specific terms, expressly regulates or exempts from regulation any person who solicits the purchase of or sells insurance connected with, and incidental to, the short-term lease or rental of a motor vehicle.

**(c) Scope of application**

This section shall apply with respect to—

- (1) the lease or rental of a motor vehicle for a total period of 90 consecutive days or less; and
- (2) insurance which is provided in connection with, and incidentally to, such lease or rental for a period of consecutive days not exceeding the lease or rental period.

**(d) Motor vehicle defined**

For purposes of this section, the term “motor vehicle” has the same meaning as in section 13102 of title 49.

(Pub. L. 106–102, title III, §341, Nov. 12, 1999, 113 Stat. 1434.)

**CHAPTER 94—PRIVACY**

SUBCHAPTER I—DISCLOSURE OF NONPUBLIC  
PERSONAL INFORMATION

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| Sec.  |   |
| 6801. | Protection of nonpublic personal information. <ul style="list-style-type: none"> <li>(a) Privacy obligation policy.</li> <li>(b) Financial institutions safeguards.</li> </ul>  |
| 6802. | Obligations with respect to disclosures of personal information. <ul style="list-style-type: none"> <li>(a) Notice requirements.</li> <li>(b) Opt out.</li> <li>(c) Limits on reuse of information.</li> <li>(d) Limitations on the sharing of account number information for marketing purposes.</li> <li>(e) General exceptions.</li> </ul> |
| 6803. | Disclosure of institution privacy policy. <ul style="list-style-type: none"> <li>(a) Disclosure required.</li> <li>(b) Information to be included.</li> </ul>   |
| 6804. | Rulemaking. <ul style="list-style-type: none"> <li>(a) Regulatory authority.</li> </ul>   |

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| Sec.  |  |
| 6805. | Enforcement. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Enforcement of section 6801.</li> <li>(c) Absence of State action.</li> <li>(d) Definitions.</li> </ul> |
| 6806. | Relation to other provisions.  |
| 6807. | Relation to State laws. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Greater protection under State law.</li> </ul>   |
| 6808. | Study of information sharing among financial affiliates. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Consultation.</li> <li>(c) Report.</li> </ul>               |
| 6809. | Definitions.   |

SUBCHAPTER II—FRAUDULENT ACCESS TO  
FINANCIAL INFORMATION

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| 6821. | Privacy protection for customer information of financial institutions. <ul style="list-style-type: none"> <li>(a) Prohibition on obtaining customer information by false pretenses.</li> <li>(b) Prohibition on solicitation of a person to obtain customer information from financial institution under false pretenses.</li> <li>(c) Nonapplicability to law enforcement agencies.</li> <li>(d) Nonapplicability to financial institutions in certain cases.</li> <li>(e) Nonapplicability to insurance institutions for investigation of insurance fraud.</li> <li>(f) Nonapplicability to certain types of customer information of financial institutions.</li> <li>(g) Nonapplicability to collection of child support judgments.</li> </ul> |
| 6822. | Administrative enforcement. <ul style="list-style-type: none"> <li>(a) Enforcement by Federal Trade Commission.</li> <li>(b) Enforcement by other agencies in certain cases.</li> </ul>   |
| 6823. | Criminal penalty. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Enhanced penalty for aggravated cases.</li> </ul>   |
| 6824. | Relation to State laws. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Greater protection under State law.</li> </ul>  |
| 6825. | Agency guidance.  |
| 6826. | Reports. <ul style="list-style-type: none"> <li>(a) Report to the Congress.</li> <li>(b) Annual report by administering agencies.</li> </ul>  |
| 6827. | Definitions.  |

SUBCHAPTER I—DISCLOSURE OF  
NONPUBLIC PERSONAL INFORMATION

**§ 6801. Protection of nonpublic personal information**

**(a) Privacy obligation policy**

It is the policy of the Congress that each financial institution has an affirmative and continuing obligation to respect the privacy of its customers and to protect the security and confidentiality of those customers’ nonpublic personal information.

**(b) Financial institutions safeguards**

In furtherance of the policy in subsection (a) of this section, each agency or authority described in section 6805(a) of this title shall establish appropriate standards for the financial in-