

§1308. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. Unless the context otherwise indicates, any word or phrase that is not defined in this chapter but that is defined in the federal Fair Credit Reporting Act has the meaning set forth in the federal Fair Credit Reporting Act. [PL 2013, c. 228, §1 (NEW).]

1. Administrator. "Administrator" means the Superintendent of Consumer Credit Protection within the Department of Professional and Financial Regulation.
[PL 2013, c. 228, §1 (NEW).]

2. Consumer. "Consumer" means an individual about whom a consumer report or an investigative consumer report has been prepared by a consumer reporting agency or an office of a consumer reporting agency.
[PL 2013, c. 228, §1 (NEW).]

3. Consumer reporting agency. "Consumer reporting agency" means a person that, for monetary fees, dues or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports or investigative consumer reports to 3rd parties.
[PL 2013, c. 228, §1 (NEW).]

4. Federal Fair Credit Reporting Act. "Federal Fair Credit Reporting Act" means the Fair Credit Reporting Act, 15 United States Code, Section 1681 et seq., as amended.
[PL 2013, c. 228, §1 (NEW).]

5. Person subject to this chapter. "Person subject to this chapter" means a person subject to the provisions of the federal Fair Credit Reporting Act and a consumer reporting agency.
[PL 2013, c. 228, §1 (NEW).]

6. Proper identification. "Proper identification" means that information generally considered sufficient to identify a person.
[PL 2013, c. 228, §1 (NEW).]

6-A. Protected consumer. "Protected consumer" means an individual who has not attained 16 years of age at the time a request for the placement of a security freeze is made.
[PL 2015, c. 139, §1 (NEW).]

6-B. Representative. "Representative" means a person who provides to a consumer reporting agency sufficient proof of authority to act on behalf of a protected consumer.
[PL 2015, c. 139, §1 (NEW).]

7. Security freeze. "Security freeze" means a notice placed in a consumer report at the request of the consumer pursuant to section 1310 that prohibits a consumer reporting agency from releasing the consumer report or any information in the report without that consumer's express authorization.
[PL 2013, c. 228, §1 (NEW).]

7-A. Security freeze for a protected consumer. "Security freeze for a protected consumer" means:

A. If a consumer reporting agency does not have a file pertaining to a protected consumer, a restriction that:

- (1) Is placed on the protected consumer's record in accordance with section 1310, subsection 1-A; and
- (2) Prohibits the consumer reporting agency from releasing the protected consumer's record except as provided in this section; or [PL 2015, c. 139, §1 (NEW).]

B. If a consumer reporting agency has a file pertaining to the protected consumer, a restriction that:

(1) Is placed on the protected consumer's consumer report in accordance with section 1310, subsection 1-A; and

(2) Prohibits the consumer reporting agency from releasing the protected consumer's consumer report or any information derived from the protected consumer's consumer report except as provided in section 1310, subsection 1-A. [PL 2015, c. 139, §1 (NEW).]

[PL 2015, c. 139, §1 (NEW).]

7-B. Sufficient proof of authority. "Sufficient proof of authority" means documentation that shows a representative has authority to act on behalf of a protected consumer. "Sufficient proof of authority" includes, but is not limited to:

A. An order issued by a court of law; or [PL 2015, c. 139, §1 (NEW).]

B. A written, notarized statement signed by a representative that expressly describes the authority of the representative to act on behalf of a protected consumer. [PL 2015, c. 139, §1 (NEW).]

[PL 2015, c. 139, §1 (NEW).]

7-C. Sufficient proof of identification. "Sufficient proof of identification" means information or documentation that identifies a protected consumer or a representative of a protected consumer. "Sufficient proof of identification" includes, but is not limited to:

A. A social security number or a copy of a social security card issued by the federal Social Security Administration; [PL 2015, c. 139, §1 (NEW).]

B. A certified or official copy of a birth certificate; or [PL 2015, c. 139, §1 (NEW).]

C. A copy of a driver's license, an identification card issued by the Secretary of State pursuant to Title 29-A, section 1410 or any other government-issued photo identification. [PL 2015, c. 139, §1 (NEW).]

[PL 2015, c. 139, §1 (NEW).]

8. Supervised financial organization. "Supervised financial organization" has the same meaning as in Title 9-A, section 1-301, subsection 38-A.

[PL 2013, c. 228, §1 (NEW).]

SECTION HISTORY

PL 2013, c. 228, §1 (NEW). PL 2015, c. 139, §1 (AMD).

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