

PennDOT spokeswoman Danielle Klinger said the information stored on the magnetic strip along the back of our plastic driver's licenses is limited to that which is printed on the front. Card-reading devices offer instant access to that data, or specific portions such as the birth date.

### Is Swiping Happening in my State?

It is a state by state decision whether to encode data on drivers' licenses or not. Over 40 states currently use the magnetic strip or 2D barcode technology to encode data on state-issued drivers' licenses.

It is also a state choice to regulate driver's license swiping or—in more instances—not regulate. **Only in New Hampshire and Texas are businesses not allowed to save data scanned from drivers' licenses.** It is illegal in all states for businesses to sell data collected from drivers' licenses. These are the only restrictions we have found thus far concerning businesses who swipe driver's license data.

<http://www.ethicapublishing.com/7CH5.htm>

## ABOUT the 2D BARCODE AND YOUR DRIVER'S LICENSE

### Frequently Asked Questions:

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### Why the 2D barcode?

2D barcode technology is currently the most popular method for state DMVs (Department of Motor Vehicles) to store personal information on a driver's license. Other technologies used are magnetic stripes and 1D barcodes. Some states are considering using smart card technology or a computer chip.

The 2D barcode stores data along two dimensions and is therefore capable of containing much more information than the 1D barcode (seen on many food products) or the magnetic stripe (seen on credit cards and some drivers' licenses). Specifically 2D barcodes can hold about **2,000 bytes of data**, or enough to encode some text and a compressed image file. Currently **39 states** include a 2D barcode on the backside of state-issued drivers' licenses.

### What information is encoded on my driver's license?

We don't exactly know since there are over 200 state-issued drivers' licenses currently in circulation and not a lot of available documentation. It is a state-by-state decision what information (if any) to electronically store on drivers' licenses and state standards change frequently. As the SWIPE barcode decoder is used, we will keep track of what types of information each state stores in its 2D barcodes and make this [research available to you](#).

What we do know is that most states include all the **information printed on the front** of a driver's license

in a 2D barcode. This includes the driver's name, address, date of birth, physical attributes, medical impairments and donor information. Also states may include a compressed image file of the driver's photo and signature. Sometimes states will included additional information that is not printed on the license in the barcode like a **Social Security number**, **face recognition template** or **digital fingerprint**.

### Who is using the 2D barcode?

The **police** for one. When you are pulled over for speeding on the interstate, for instance, a state trooper will ask for your driver's license and electronically grab the data from your license. **Businesses** are also using driver's license scanning equipment. The first businesses to start swiping license data were bars and convenience stores. They are doing this in the name of age verification and fraud detection. Businesses many times do not ask for consent from their customers--or even bother to notify them--before swiping a card. In most states it is legal for businesses to scan licenses and save the data to a customer database for future analysis and use. Other places installing license scanning equipment are **airports**, **hospitals**, and **federal buildings**.

More Information: [Welcome to the Database Lounge](#)

### Is this Legal?

Driver's license swiping is a relatively new phenomenon and has yet to be challenged in court.

There is, however, a privacy law called the **Driver's Privacy Protection Act of 1994** (DPPA) that could potentially be used to contest driver's license swiping. Congress passed DPPA in 1994 after the murder of actress Rebecca Shaeffer. Her assailant had gotten her address from the California Department of Motor Vehicles. The public was outraged over the fact that state DMVs were not only releasing their database information (driver's license records), but also making major profits by selling this information. New York, for example, earned \$17 million in one year selling drivers' records, according to the U.S. Justice Department.

DPPA put an end to this, well almost. DPPA requires that all states protect the privacy of personal information contained in an individual's motor vehicle record, but this privacy act (like most privacy acts) is extremely weakened by a **number of exceptions**. And here are some of the exceptions: an individual's driver's license information may be obtained from the department of motor vehicles for legitimate government agency functions, for Motor vehicle market research and surveys, for use by licensed private investigators, and for legitimate business needs in transactions initiated by the individual to verify accuracy of personal information.

Businesses who swipe will most likely will say they are protected by this last clause: that **swiping is a legitimate business need** to verify age and validate a driver's license. But is creating a database from the swiped information for future use and profit a necessity to verify the accuracy of personal information?

More Information: [Driver's Privacy Protection Act of 1994](#)

### What will future drivers' licenses look like?

Since 1991 **The American Association of Motor Vehicle Administrators** (AAMVA) has been pushing the federal government to standardize state driver's licenses. This plan includes a comprehensive system for data encoding and a centralized database for personal information.

In May 2002, Reps. Jim Moran, D-Va., and Tom Davis, R-Va. introduced a new bill called **Driver's License Modernization Act of 2002 (HR 4633)** that endorses the AAMVA approach.

The Driver's License Modernization Act of 2002 Overview:

- States have up to five years to switch to "smart card" drivers' licenses that hold much more data than magnetic stripes or 2D barcodes
- Your driver's license would include a biometric identifier such as a digital fingerprint or eye scan and would be readable by an electronic scanner
- States must maintain interconnected databases containing information on license holders

Homeland Security Director **Tom Ridge** has expressed sincere interest in this Bill.

More Information: [Status of the Driver's License Modernization Act of 2002](#)