



**Testimony of
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In Opposition to House Bill 330

Before the New Hampshire Criminal Justice and Public Safety Committee

February 5, 2025

Chair Roy, Vice-Chair Rhodes, and members of the committee, on behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony in opposition to House Bill 330. While we understand the goal of protecting your constituent's privacy, it is critical for our members to be able to access government-issued identification, like driver's licenses, in order to both establish services and protect against identity theft and fraud.

This legislation looks to prohibit the copying, retaining, or scanning of driver's licenses for any purposes other than governmental ones. It's critical - and even required - for our industry to be able to verify a customer's identity using government-issued identification. Driver licenses are one of the primary forms of acceptable identification featuring the customer's name, address, and photo. Carriers must comply with federal and state regulations, such as those tied to the REAL ID Act, which mandates stringent identity verification standards. Additionally, mobile driver's licenses (mDLs) are digitized versions of the information on physical driver's licenses and identification cards and are stored on mobile



electronic devices, such as smartphones. States across the country have started launching and expanding mDLs to be equivalent to their physical counterparts eventually. HB 330 would likely prohibit programs like these from rolling out in New Hampshire and cause significant problems for our industry.

Additionally, wireless carriers often use driver's licenses to verify customer identities, ensuring that services are not fraudulently obtained. This is especially critical in preventing identity theft and unauthorized access to customer accounts. Furthermore, the Red Flags Rule, established under the Fair and Accurate Credit Transactions Act (FACTA), protects consumers by requiring financial institutions and certain businesses to implement Identity Theft Prevention Programs. Businesses are required to securely collect, maintain, and dispose of consumer data to reduce identity theft risks.

Finally, comprehensive privacy legislation has already been passed by the legislature and signed by Governor Sununu last year. This legislation sets forth strong consumer privacy rights and protections and imposes robust but clear obligations on businesses for the use of personal data, including identifiable data like driver's licenses.

In closing, HB 330 is unnecessary, given the recent enactment of privacy legislation in New Hampshire. We reiterate our concerns that prohibiting the use of consumer driver's licenses by businesses like the wireless industry would have detrimental effects on consumer identification and identity theft prevention programs. CTIA respectfully requests that you report this bill Inexpedient to Legislate. Thank you for your consideration.