

NOTICE

Effect Jan 1, 2010 **use of Driver's License on Receipts**

Please take note this IS NOT part of the law 1702 but located in the BUSINESS & COMMERCE CODE. This change does, however, effect locksmith businesses.

SEC. 501.1011. SALES RECEIPT CONTAINING DRIVER'S LICENSE NUMBER PROHIBITED.

A person may not print an individual's driver's license number on a receipt that evidences payment for a sale of goods or services and is provided to the individual.

§1702.286. CUSTOMER AUTHORIZATION REQUIRED FOR CERTAIN LOCKSMITH SERVICES.

(a) A locksmith company or locksmith may not perform services for a customer who seeks entry to a structure, motor vehicle, or other property unless the customer, in the course of the transaction:

- (1) shows the locksmith company or locksmith a government-issued identification; and
- (2) provides a signed authorization stating that the customer owns or is otherwise entitled to legal access to the structure, motor vehicle, or other property.

(b) A locksmith company or locksmith is exempt from Subsection (a) if the locksmith is requested to perform services in a case of imminent threat to a person or property.

Solutions offered:

1. (from PSB officer) 1702 requires that they (locksmiths) be shown an ID. It does not require the ID number be written down. If a Driver's License is used as ID, I would suggest it be checked by the locksmith, and the locksmith indicate on the receipt or appropriate form what was done to confirm the ID. The statute & rules do not specifically list forms of proof, just a requirement to do such. The department and the board have not approved or posted a list. Locksmiths should indicate what type of identification was presented to them & should be guided by their professional experience as to whether or not such ID is sufficient for them (locksmith) to provide the regulated function until the board, the statute or the department has determined to provide further guidance.
2. (locksmith in west Texas area) If your authorization is part of your invoice (sales receipt), I would suggest the use of card stock between your original & their copy where the DL number is filled in. This allows you to keep the DL number for your records but does not give the DL number on the receipt.
3. (locksmith in north Texas) The solution is a separate authorization form; do not put on the sales receipt (invoice). I personally will not open or fit keys to anything without a signature on the authorization form my lawyer approved. I need some proof the person signing is indeed that person, a driver's license is generally the best proof.
4. (locksmith in central Texas) The authorization section and invoice (sales receipt) section maybe separated by perforation so that only the bottom half of the customer's copy (not containing the DL number) is given as receipt. This allows me to keep both sections that contain the DL number for my authorization & proof of identify of whom I did the opening for without the DL number being available to others for identify theft.