

June 11, 2025

Position on Bills at 2025 Session of Oregon Legislature:

SB 1005: Oppose



[SB 1005](#) allows a private entity (such as a retail store) to swipe a person's driver's license or identification card when providing age-restricted goods or services, whether or not there is reasonable doubt that the person is at least 21 years of age. Doing that is currently illegal; the clerk can demand to swipe your driver's license or ID only if you appear to be 26 or younger.

Note that the definition of "swipe" is incredibly broad.

(f) "Swipe" means the act of passing a driver license or identification card through a device that is capable of deciphering, in an electronically readable format, the information electronically encoded in a magnetic strip or bar code on the driver license or identification card.

That definition does not preclude passing the license or card through a device that can also copy both sides of the entire license or card.

So SB 1005 allows a store clerk run my driver's license or ID card through a device that can copy its data—or even its image—it in order for me to buy a beer, even though I am a lot older than 21 and certainly do not appear to be age 26 or younger. Many stores now want to do exactly that. The interesting testimony of Scott Dale states:

I speak for the senior citizen who can't speak for himself. The one forced to drive across town to find a store that won't force him to surrender his ID to be scanned by a kid with pimples. This man fought in Korea for his country and keeps up on the news. He sees the reports of data theft all the time. He saw the recent instances of business owners selling drugs and engaging in other illegal activities. He doesn't want to let anyone scan his ID. He shouldn't be forced to either. He shouldn't be told if he doesn't like it, go somewhere else. Then drive further from his home trying to find somewhere to make his purchase without unreasonably surrendering his Identification.

The only written testimony in favor of this bill is from Plaid Pantry. That company states that it does not retain the information received from running driver's licenses and IDs through devices. That is commendable, but it does not apply to other companies. This bill would allow every company to copy driver's license and IDs, even when there is no legitimate reason for doing so.

The proposed -2 amendment does not make this bill even remotely reasonable. Existing law allows individuals to sue the retailer for actual damages or \$1,000 for selling or otherwise redistributing the individual's personal information. That remedy is largely illusory, because the individual will likely never know that the store personnel have misused the information. The proposed -2 amendment would increase the nominal penalty to \$5,000, which for nearly all customers would mean nothing.

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