

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4843**

By Delegates Akers, Horst, Ridenour, Butler, and T.

Howell

[Introduced January 27, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §46A-6-111, relating to consumer protection and the collection of certain  
3 personally identifiable information; prohibiting the use of scanner technology to collect  
4 certain personally identifiable information in certain consumer transactions; creating  
5 definitions; providing that a violation of the section is an unfair or deceptive act or practice;  
6 and creating penalties.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 6. GENERAL CONSUMER PROTECTION.**

**§46A-6-111. Use of scanner technology for collection of personally identifiable information**

of consumer prohibited.

1 (a) No person may use scanner technology for the collection of personally identifiable  
2 information of any consumer, which includes, but is limited to, driver's license number, social  
3 security number, medical history, or other descriptive information contained on the license, other  
4 than the age of the consumer.

5 (b) For purposes of this section, "scanner technology" includes any device that uses  
6 technology intended to determine the age of a consumer and which is capable of:

7 (1) Capturing the information from a bar code or magnetic strip on a driver's license or  
8 identification card issued by the Division of Motor Vehicles;

9 (2) Producing a declaration of age in print form and storing a record of the event in memory;

10 (3) Producing an audible, visual and printed result;

11 (4) Reporting a history of the events, including the ability to transfer the data for archiving  
12 and database development purposes; and

13 (5) Storing at least 1,000 events at any time before data is transferred.

14 (c) Any person who violates subsection (a) of this section engages in an unfair or deceptive  
15 act or practice in violation of this article.

NOTE: The purpose of this bill is to prohibit the use of scanner technology to collect personally identifiable information in certain consumer transactions.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.