

Superseded 1/1/2016

13-45-102 Definitions.

As used in this chapter:

- (1) "Consumer" means a natural person.
- (2) "Consumer reporting agency" means a person who, for fees, dues, or on a cooperative basis, regularly engages in whole or in part in the practice of assembling or evaluating information concerning a consumer's credit or other information for the purpose of furnishing a credit report to another person.
- (3) "Credit report" means a consumer report, as defined in 15 U.S.C. Sec. 1681a, that is used or collected in whole or part for the purpose of serving as a factor in establishing a consumer's eligibility for credit for personal, family, or household purposes.
- (4) "Normal business hours" means Sunday through Saturday, between the hours of 6:00 a.m. and 9:30 p.m., Mountain Standard or Mountain Daylight Time.
- (5)
 - (a) "Personal information" means personally identifiable financial information:
 - (i) provided by a consumer to another person;
 - (ii) resulting from any transaction with the consumer or any service performed for the consumer;
or
 - (iii) otherwise obtained by another person.
 - (b) "Personal information" does not include:
 - (i) publicly available information, as that term is defined by the regulations prescribed under 15 U.S.C. Sec. 6804; or
 - (ii) any list, description, or other grouping of consumers, and publicly available information pertaining to the consumers, that is derived without using any nonpublic personal information.
 - (c) Notwithstanding Subsection (5)(b), "personal information" includes any list, description, or other grouping of consumers, and publicly available information pertaining to the consumers, that is derived using any nonpublic personal information other than publicly available information.
- (6) "Proper identification" has the same meaning as in 15 U.S.C. Sec. 1681h(a)(1), and includes:
 - (a) the consumer's full name, including first, last, and middle names and any suffix;
 - (b) any name the consumer previously used;
 - (c) the consumer's current and recent full addresses, including street address, any apartment number, city, state, and ZIP code;
 - (d) the consumer's social security number; and
 - (e) the consumer's date of birth.
- (7) "Security freeze" means a prohibition, consistent with Section 13-45-201, on a consumer reporting agency's furnishing of a consumer's credit report to a third party intending to use the credit report to determine the consumer's eligibility for credit.