AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5332
OFFERED BY MS. TLAIB OF MICHIGAN

Add at the end the following new section:

1 SEC. 11. USE OF CONSUMER REPORTS AND CONSUMER IN-
2 FORMATION FOR AUTO INSURANCE PURPOSE
3 PROHIBITED.
4 (a) IN GENERAL.—Section 604(a)(3)(C) of the Fair
5 Credit Reporting Act (15 U.S.C. 1681b(a)(3)(C)) is
6 amended by inserting "except auto insurance (as defined
7 under subsection (h)(3))" before the semicolon.
8 (b) RULE OF CONSTRUCTION.—Section 604 of the
9 Fair Credit Reporting Act (15 U.S.C. 1681b) is amended
10 by adding at the end the following new subsection:
11 "(h) AUTO INSURANCE NOT AN AUTHORIZED BUSI-
12 NESS PURPOSE.—
13 "(1) IN GENERAL.—No consumer reporting
14 agency may furnish a consumer report or consumer
15 information with respect to any consumer to any
16 person for use in making any decision to underwrite
17 or rate auto insurance, and no person shall use or
18 obtain a consumer report or consumer information
19 with respect to any consumer in connection with the
underwriting or rating of any consumer in connection with a transaction involving auto insurance.

"(2) INSURANCE INFORMATION NOT INCLUDED.—Information derived from the following databases shall not be treated as a consumer report or consumer information for purposes of paragraph (1):

"(A) Databases that contain information on property loss data regarding auto insurance, such as the Comprehensive Loss Underwriting Exchange (CLUE) and Automobile Property Loss Underwriting System (A–PLUS).

"(B) Databases that contain information on driver history, such as accidents or moving violations, typically maintained at State departments of motor vehicles.

"(3) DEFINITIONS.—For purposes of this subsection:

"(A) CONSUMER INFORMATION.—The term ‘consumer information’ means any information from the file of any consumer at a consumer reporting agency, or any product derived from any such information such as consumer credit reports or credit scores or any other risk score or predictor on any consumer.
"(B) AUTO INSURANCE.—The term 'auto
insurance' means any personal automobile line
of insurance, as defined in the Uniform Prop-
erty and Casualty Product Coding Matrix es-
tablished and maintained by the National Asso-
ciation of Insurance Commissioners or any suc-
cesor document."