

2. The consumer requests a copy of his or her consumer report; or

3. The consumer is entitled to receive a summary of rights required under §609 of the Fair Credit Reporting Act, 15 U.S.C. §1681g, incorporated herein by reference, as may be amended and supplemented.

(c) Each consumer reporting agency, by April 17, 2008, shall send in writing, via e-mail to [creditinfo@dca.lps.state.nj.us](mailto:creditinfo@dca.lps.state.nj.us) and regular mail to the Press Office, New Jersey Division of Consumer Affairs, 124 Halsey Street 7th floor, Newark, NJ 07101, the information required to be provided to consumers under (a)1i, ii, iv and v and 2 above.

(d) The consumer reporting agency shall communicate in writing, via e-mail and regular mail, any changes to the information supplied to the Division under (c) above within 10 days of implementation of the change.

### 13:45F-2.2 Placing a security freeze

(a) Upon receipt of a consumer's written request to place a security freeze on his or her consumer report made in accordance with the procedures provided in N.J.A.C. 13:45F-2.1(a), a consumer reporting agency shall, within five business days of receipt:

1. Place the security freeze on the consumer report;

2. Send a written confirmation of the security freeze to the consumer together with instructions on the procedures used by the consumer reporting agency to temporarily lift or remove a security freeze, and a toll-free number that a consumer may use for any further questions; and

3. Provide the consumer with a unique PIN or password, other than the consumer's Social Security number or any four or more consecutive numbers of the Social Security number or data element comprising identifying information, to be used by the consumer when providing authorization for the release of his or her credit information for a specific party or period of time or communications with the consumer reporting agency when temporarily lifting a security freeze (N.J.A.C. 13:45F-2.3), removing a security freeze (N.J.A.C. 13:45F-2.4) or changing official information (N.J.A.C. 13:45F-2.5).

### 13:45F-2.3 Temporarily lifting a security freeze

(a) Upon receipt of a consumer's request to temporarily lift a freeze sent by certified or overnight mail or such system of secure electronic media as may be made available by the consumer reporting agency, the consumer reporting agency shall:

1. Lift the freeze if the consumer has properly supplied the following:

i. The information necessary for proper identification specified in the information given to the consumer pursuant to N.J.A.C. 13:45F-2.1; and

ii. The information to identify the specific third party granted access or the time period for which the consumer report is to be made available;

2. Supply a PIN to the consumer, other than the consumer's PIN, to be given to a third party where access is to be limited to a specified third party; and

3. Comply with the request as expeditiously as possible, but no later than three business days after receiving the request where the request has been made by certified or overnight mail and, when required under (b) below, within 15 minutes where the request has been made by any one of the methods made available to consumers.

(b) Each consumer reporting agency shall develop, within the time frame set forth below, secure procedures involving the use of telephone, fax, the Internet or other generally available electronic media to receive and process a request from a consumer to temporarily lift a security freeze on a consumer report. These procedures shall allow the lifting of a security freeze as expeditiously as possible, with the goal of lifting the security freeze within 15 minutes of receipt of the consumer's request.

1. By June 6, 2008, each consumer reporting agency shall provide to the Director, at the street address listed in N.J.A.C. 13:45F-2.1(c), a written plan that, when implemented, will allow the lifting of a security freeze within 15 minutes of receipt of the request to lift; and

2. By August 7, 2008, and in accordance with (b)1 above, each consumer reporting agency shall have technology in place to allow the lifting of a security freeze within 15 minutes of receipt of the request to lift.

(c) Any information that is provided to the Director under (b) above is confidential and proprietary information and shall not be considered a public or government record under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

### 13:45F-2.4 Removing a security freeze

(a) Where a consumer reporting agency has received a request from the consumer to remove a security freeze it shall:

1. Remove the freeze if the consumer has supplied the information necessary for proper identification specified in the information given to the consumer pursuant to N.J.A.C. 13:45F-2.1(a)1i and the PIN provided to the consumer pursuant to N.J.A.C. 13:45F-2.2(a)3; and

2. Comply with the request as expeditiously as possible, but no later than three business days after receiving the request.

(b) If a consumer reporting agency intends to remove a security freeze based on a material misrepresentation of fact by a consumer, the consumer reporting agency shall notify the consumer in writing in plain language and shall wait at least five business days after mailing the notice before removing the freeze. The notification to the consumer shall:

1. Be sent via first class mail to the consumer at the address on file with the consumer reporting agency;
2. State the basis upon which the consumer reporting agency has concluded that there was a material misrepresentation of fact;
3. State the action that the consumer reporting agency intends to take and the effective date of that action; and
4. Provide information for contacting the consumer reporting agency, including a telephone number, to dispute its findings.

**13:45F-2.5 Changing official information**

(a) Until a security freeze placed on a consumer report is removed, the consumer reporting agency shall not change any official information in the consumer report without first sending a written notice of the change to the consumer. The written notice shall be sent within 30 days of the posting of the intended change to the official information in the consumer report. A consumer reporting agency shall wait at least 10 days after the written notice has been sent before finalizing the change in the consumer's report. The written notice of change shall:

1. State the type of official information that is being changed, without disclosing the actual information, and the reason for the change;
2. Advise the consumer that he or she must contact the consumer reporting agency, in writing by mail or by any other method allowed by the consumer reporting agency, within seven days of the date of the notice if the change in the official information is incorrect; and
3. Be sent to both the consumer's new and old address where the official information being changed is the consumer's address.

**13:45F-2.6 Lost PIN or password**

(a) Within 24 hours of notification that a consumer has lost his or her PIN or password, the consumer reporting agency shall:

1. Issue a new or reissue the original PIN or password if the consumer has supplied the information necessary for proper identification given to the consumer pursuant to N.J.A.C. 13:45F-2.1; and
2. Use a PIN or password, other than the consumer's Social Security number, or any portion thereof, or any data

element comprising personal information, if issuing a new PIN or password.

**13:45F-2.7 Fees**

(a) A consumer reporting agency may charge the following fees:

1. Temporary lift or removal of a security freeze..... up to \$5.00; and
2. Replacement or re-issuance of a lost PIN or password..... up to \$5.00.

(b) No fee may be charged for placing a security freeze on a consumer report.

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SUBCHAPTER 3. (RESERVED)

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SUBCHAPTER 4. SOCIAL SECURITY NUMBERS

**13:45F-4.1 Restrictions on the communication of Social Security numbers**

(a) No person, including a public or private entity, shall:

1. Publicly post or publicly display an individual's Social Security number or any four or more consecutive numbers taken from the individual's Social Security number;
2. Print an individual's Social Security number on any materials that are mailed to the individual, unless State or Federal law requires the Social Security number to be on the document to be mailed;
3. Print an individual's Social Security number on any card required for the individual to access products or services provided by the person or public or private entity;
4. Require an individual to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted; or
5. Require an individual to use his or her Social Security number to access an Internet website, unless a password or unique PIN or other authentication device is also required to access the Internet web site.

(b) Nothing in this section shall prevent the collection, use or release of a Social Security number, as required by or to comply with State or Federal law nor shall this subchapter obviate any prohibition on the use of Social Security numbers found in any Federal or State statutes and regulations.

(c) A public or private entity may use a Social Security number for internal verification and administrative purposes, as long as the use does not require the release of the Social