



## The Law on Fake IDs

It's quite amusing to know that despite all the security measures implemented by national governments worldwide to curb down on crimes related to identity theft, fraud and misrepresentation; people would surprisingly end up patronizing the sale of fake identification cards and novelty fake IDs. Lately, counterfeited IDs have become a hot item on the internet due to the proliferation of bogus online manufacturers that preyed upon the demand for these items. Sad to say, this trade hits hard on the global pursuit to limit the activities of con artists and swindlers who are out there to make a profit through the indiscriminate use of another person's identity.

In fairness to legitimate enterprises engaged in the business of producing novelty ID cards, or souvenir cards as called in other countries, novelty IDs are designed without the malicious intent inherent with purely fake, counterfeited IDs that have been produced under the (1) [deliberate purpose of misrepresentation](#): to steal or assume another person's identity. The term novelty itself categorizes these items as collectibles that are manufactured for the sheer pleasure of the buyer that is not directed towards a deceitful end. Apart from this technical definition, what is infringed upon with novelty IDs are intellectual property laws with the firm creating said IDs owning the copyright to the designs and templates. In the case of bogus IDs, the act of replicating actual, legal identification documents is considered a criminal offense in most countries and offenders are dealt with pertinent criminal liabilities.

The outbreak of terrorism during the September 11 attacks brought to the fore the lapse over the issuance of licenses in the jurisdiction of pertinent US states. Reports reveal how the suicide bombers involved in the 911 incident have taken hold of legitimate driver's license cards that have been acquired under false identities.

Ensuing the 911 attacks, federal and state governments have become increasingly vigilant against rising incidences of identity theft and fraud, including the indiscriminate use of bogus ID cards to undermine pertinent state laws and ordinances, particularly alcohol enforcement laws. Many legislators have become adamant to the fact that these practices are becoming more likely threats to national security and are working on proposals to make acquisition of identification documents such as the social security card, US Driving License and the State Identity card difficult with state or federal agencies. Even novelty or souvenir IDs are frowned upon in many states with its use perceived as some form of hedonism. Minors found using fake state IDs, even novelty IDs for that matter, or held in possession of somebody else's driver's license will merit a one-year suspension of driving privileges without conviction. On the other hand, (2) [operating a fake ID outfit online within US territories](#) is considered illegal and offenders caught enterprising ID templates and reproducing bogus driver's licenses are instantly charged with the crime of felony.

In the United Kingdom, as well as in most parts of Europe, it is legal to engage in the design; manufacture and sale of novelty fake IDs. In fact, these items are sold exclusively by a number of British companies where copyright to designs are retained with the manufacturer. While deemed as acceptable and legal in the United Kingdom, the British parliament has lately floated the implementation of a national identity card that hooks up a person's identity to a national identity database. Using State of the art electronic eye and fingerprint scans, this system is deemed a foolproof way of validating one's identity and puts away the limitations inherent with the existing biometrics technology. The "Proof of Identification Card" is a conventional ID in the United Kingdom and a counterpart of the US Social Security Card. Britons are wary over using a passport or driver's license as proof of identity. Thus, the issuance of a hi-tech card that is deemed impossible to clone and much less forge becomes reasonable in this sense.

It seems that the trade of novelty fake IDs is a classic in downtown Toronto, particularly in Yonge Street where a number of novelty ID shops operate. For a mere CAD\$ 40, a buyer can commission a shop to produce a professional looking ID card out of Teslin plastic sheet, complete with all the necessary trimmings such as holograms, lamination and bar code which one would expect to find in a legitimate identification card. While



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legal in Canada, the government does not tolerate fraudulent activities pursuant to the use of faked ID cards. After all, what is illegal is not the manufacture of these novelty IDs but the usage and intentions of the buyer.

- (1) <http://www2.potsdam.edu/hansonj/YouthIssues/1048597141.html>
- (2) <http://www.loompanics.com/Articles/FakeIDAfter911.html>