

Driver Privacy Protection Act (DPPA) FAQs

What is the DPPA?

The Driver Privacy Protection Act, also known as DPPA, is a federal law that requires state motor vehicle offices to limit the release of personal information on motor vehicle records.

What is “personal information”?

Information that identifies an individual, including an individual’s photograph, social security number, driver identification number (PID), name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver’s status.

Has Vermont complied with DPPA?

Yes. The DPPA requires that all personal information contained on motor vehicle records be considered private, unless a person specifically agrees to make the information public or the requester asserts they are eligible under DPPA.

Vermont has public records laws, how does the DPPA impact Vermont statutes?

While Vermont’s public records laws keep most state records open for public inspection, DPPA is an exception. Federal law says certain information may not be given out but is silent on the release of other information not defined as personal information. Whereas the federal law does not address the privacy of non-personal information, the state law takes over and says we must provide access to that information.

Are there instances when personal information must be released under DPPA?

Yes, DMV is required to share personal information in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of nonowner records from the original owner records of motor vehicle manufacturers to carry out the purposes of the Federal Automobile Information Disclosure Act, the Motor Vehicle Information Cost Saving Act, the National Traffic and Motor Vehicle Safety Act of 1966, the Anti-Car Theft Act of 1992, and the Clean Air Act, as amended.

Are there exceptions when personal information may be released under DPPA?

Yes, there are several agencies and organizations that may obtain personal information, regardless of the DPPA protections. Law enforcement agencies and federal and state government agencies may receive personal information from DMV records. However, personal information will **not** be released to any of the following individuals or agencies, unless they have filed an affirmation statement with DMV asserting that they are entitled to personal information under the DPPA.

- Organizations conducting vehicle recalls
- Insurance companies
- Businesses, in order to verify information already given by a person or to prevent fraud or to recover on a debt or lien
- Parties involved with a federal or state court case or arbitration, including attorneys
- Towing companies that tow abandoned or impounded vehicles
- An employer verifying information relating to a CDL
- Anyone with written permission of the person whose information they are requesting
- Private investigators acting for any purpose stated above

Why would DMV share my personal information if they aren't required to do so?

There are many reasons that it is beneficial for consumers for DMV to share driver data. A few are listed below:

- To allow manufacturers to contact you regarding a warranty, safety recall or other similar notice
- To rate and monitor drivers to set insurance rates
- To allow an employer to perform background a check on a driver with a CDL (including school bus drivers)

How does DMV share my personal information?

There are three ways an approved requester may access a driver's personal information:

1. Pay-per-Search – DMV and Vermont Information Consortium partnered to create an online portal allowing requesters to purchase three-year driving records. A requester must provide the PID of the person whose record they are purchasing in order to obtain a record.
2. Bulk-data transfers – DMV create a bulk file consisting of aggregated data and transfer the updated file to the requester on a specified basis. Generally, these files are provided to manufacturers and are used to locate owners of vehicles to notify of warranty issues or safety recalls.
3. Over-the-counter requests – a person may request information directly from the DMV, either in person or via mail. Requesters must assert to DMV that they are entitled to the information under the DPPA.

What data does DMV share?

Depending on the type of request, a requester may be provided with a combination of the following:

- Vehicle information – make, model, year, body type, VIN, color, cylinders, new/used at time of titling/registration, title brands and date, odometer reading, fuel type, empty and registered weight, registration plate number and expiration date, brake type, number of axles, vehicle type (car, truck, ATV)
- Driver information – name, mailing address, street address, city, state, zip code, license class, endorsements & restrictions, medical certification status (CDL only), variances, conviction history, TSA threat assessment results (hazardous materials endorsements), crash history, suspension/revocation/disqualification history

How is DMV planning to improve their data sharing practices?

- Amending Vermont statutes to clarify potential ambiguities regarding when DMV is required to share personal information.
- Terminated the use of terminals allowing approved requesters the ability to perform searches of DMV records on their own. Approved requesters will still be able to access the information should they qualify under DPPA but will be provided only the information requested and it will be provided by a member of DMV staff.
- Completing a comprehensive review of disclosures that are permitted, but not required, to be disclosed under DPPA and establishing new protocols as to which DMV will honor.
- Modifying applications used to request certification and implementing an annual affirmation that requesters are complying with DPPA.