

**To: House and Senate Committees on Judiciary  
House and Senate Committees on Transportation  
House Ways and Means  
Senate Committees on Finance**

**From: Wanda Minoli, Commissioner, Department of Motor Vehicles**

**Date: January 15, 2021  
February 16, 2021 Amendment**

**Subject: Amendment to Annual Report – Driver’s Privacy Protection Act**

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Please note amended changes to report in sections:

Background: additional info was added

- A. Not releasing pursuant to:
- 18 U.S.C. §2721(b)(3)(B)

Background:

In 1994 Congress enacted the Driver’s Privacy Protection Act, also known as DPPA to protect the personal information contained on an individual’s vehicle records. Personal information is information that identifies an individual, such as name, address, telephone number, medical or disability information, photograph or digital image, and license or social security number. **Personal Information does not include information relating to motor vehicle accidents, driving violations, or a driver’s license and registration status.**

In accordance with Act 149 of 2020 Section 27, the Department of Motor Vehicles has prepared the following report on the changes the Department has made to its policies and practices surrounding the release of personal information pursuant to 23 V.S.A § 104 and 114.

**2. Permissive disclosures under DPPA the department is and is not releasing information.**

A. Releasing pursuant to

- 18 U.S.C. §2721(b)(1)
  - Government Agency, including any court or law enforcement agency, in carrying out its functions or any private person or entity on behalf of a Federal, State, or local agency in carrying out its functions.
- 18 U.S.C. §2721(b)(2)
  - Motor vehicle or Driver Safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research.
- 18 U.S.C. §2721(b)(3)(A)
  - For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors.
- 18 U.S.C. §2721(b)(4)
  - For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any

self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgements and orders, or pursuant to an order of a Federal, State or local court.

- 18 U.S.C. §2721(b)(5) – research activities
  - *Requested data for research activities will be shared, but personal information is not disclosed.*
- 18 U.S.C. §2721(b)(6)
  - For use by an insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
- 18 U.S.C §2721(b)(9)
  - For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver’s license that is required under chapter 313 of title 49.

**B. Not releasing pursuant to:**

- 18 U.S.C. §2721(b)(3)(B)
  - *For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.*
- 18 U.S.C. §2721(b)(7) - owner or lien-holder of towed or impounded vehicle
  - *Owners or lien-holders of towed or impounded vehicles may use the existing abandoned vehicle process to gather any information contained in DMV records.*
- 18 U.S.C. §2721(b)(8) – Private Investigators
  - *Private investigators may access information in DMV records through any of the other relevant permissive uses under which the Department shares information.*
- 18 U.S.C. §2721(b)(10) - Private toll operators
  - *Currently do not receive requests from private toll operators; information shared with state toll authorities is shared under 18 U.S.C. §2721(b)(1).*
- 18 U.S.C. §2721(b)(12) – Bulk distributions for surveys, marketing of solicitations
  - *The sale of information contained in Department records for survey or solicitation does not benefit Vermonters.*

**3. Statistics for calendar year 2020 (new applicants) on the number of requests under each permissive disclosure and the breakdown of how many were:**

**A. Approved:**

Permissive Disclosure	Type of Disclosure	Total Approved
18 U.S.C. §2721(b)(1)	For use by any government agencies	3
18 U.S.C. §2721(b)(2)	Driver safety and theft	0
18 U.S.C. §2721(b)(3)	Verifying personal info	18
18 U.S.C. §2721(b)(4)	Court & government proceedings	0
18 U.S.C. §2721(b)(5)	Research activities	0
18 U.S.C. §2721(b)(6)	Insurer/insurance company	3

18 U.S.C. §2721(b)(9)	Verifying CDLs	15
18 U.S.C. §2721(b)(11)	Requests for individual information w/consent from individual to whom personal information pertains	3

 B. Denied in 2020:<sup>1</sup>

Permissive disclosure	Type of Disclosure	Total Denied
18 U.S.C. §2721(b)(2)	Driver safety and theft	2

 C. Ongoing requests:<sup>2</sup>

Permissive Disclosure	Type of Disclosure	Total Approved
18 U.S.C. §2721(b)(1)	For use by any government agencies	24
18 U.S.C. §2721(b)(2)	Driver safety and theft	3
18 U.S.C. §2721(b)(3)	Verifying personal info	85
18 U.S.C. §2721(b)(4)	Court & government proceedings	11
18 U.S.C. §2721(b)(5)	Research activities	1
18 U.S.C. §2721(b)(6)	Insurer/insurance company	16
18 U.S.C. §2721(b)(7)	Towed/impounded vehicles	2
18 U.S.C. §2721(b)(8)	Private investigators	0
18 U.S.C. §2721(b)(9)	Verifying CDLs	72
18 U.S.C. §2721(b)(10)	Private toll transportation facilities	1
18 U.S.C. §2721(b)(11)	Requests for individual information w/consent from individual to whom personal information pertains	15

## D. Made on behalf of another person, as defined in 1 V.S.A. §128.

"Person" shall include any natural person, corporation, municipality, the State of Vermont or any department, agency, or subdivision of the State, and any partnership, unincorporated association, or other legal entity. (Amended 1969, No. 207 (Adj. Sess.), § 2, eff. March 24, 1970.)

Total number of paid driving records in 2020: 243,874

Total number of free driving records in 2020: 7,206

Total driving records provided in 2020: 251,080<sup>3</sup>

## 4. Total number of unique persons who requested information under each permissive disclosure:

- 5,487 number of records sold by DMV.<sup>4</sup>
- 170 unique individuals/corporations requested driving records through online portal

5. Updates to policies, procedures, and documents used by the Department related to permissive disclosures.

In 2020 all customer contracts were reviewed which resulted in 10 requestors with no agreement. Each requestor was contacted and initiated a new agreement or stopped services. Annually in March of each year DMV and National Information Consortium (NIC) jointly will review policy and procedures. The items listed with no revenue are either obsolete or not compliant with DPPA or information is now available through other modernization efforts.

All updated forms can be found at the end of this report.

Attachment A: Driver Privacy Protection Policy  
Attachment B: VG-116 Vermont DMV Record Request  
Attachment C: VG-118 Driver Privacy Protection Act Agreement  
Attachment D: DMV Approval Letter

<sup>1</sup> The type of business requesting the information does not qualify for the information they are requesting

<sup>2</sup> Ongoing requests include individuals contained in 2A

<sup>3</sup> These requests are thru NIC (National Information Consortium)

<sup>4</sup> Could be purchased by a qualifying individual or the actual individual

6. Breakdown of fees collected in calendar year 2020 broken out by authorizing subdivision under 23 V.S.A. § 114 (a) and an explanation of what proportion was deposited in the Transportation Fund.

<b>Authorizing Subdivision of 23 V.S.A. §114</b>	<b>Fees Collected</b>
23 V.S.A. §114(a)(1) Listings of 1-4 current or expired registrations	<b>0</b>
23 V.S.A. §114(a)(2) Certified copy of current or original registration application	<b>\$932.00</b>
23 V.S.A. §114(a)(3) Sample plates	<b>\$18.00</b>
23 V.S.A. §114(a)(4) Lists of registered dealers, transporters, periodic inspection stations, rental vehicle companies, fuel dealers and distributors (including gallons sold or delivered)	<b>0</b>
23 V.S.A. §114(a)(5) Repealed	<b>0</b>
23 V.S.A. §114(a)(6) Periodic inspection sticker record	<b>0</b>
23 V.S.A. §114(a)(7) Certified copy of individual accident report	<b>\$2,304.00</b>
23 V.S.A. §114(a)(8) Certified copy police accident report	<b>\$18,360.00</b>
23 V.S.A. §114(a)(9) Certified copy of suspension notice	<b>\$ 56.00</b>
23 V.S.A. §114(a)(10) Certified copy of mail receipt	<b>0</b>
23 V.S.A. §114(a)(11) Certified copy of proof of mailing	<b>0</b>
23 V.S.A. §114(a)(12) Certified copy of reinstatement notice	<b>104.00</b>
23 V.S.A. §114(a)(13) Certified copy of operator's license application	<b>\$24.00</b>
23 V.S.A. §114(a)(14) Certified copy of 3-year operating records (Vermont only)	<b>\$3,441,046.00</b>
23 V.S.A. §114(a)(15) Repealed	<b>0</b>
23 V.S.A. §114(a)(16) Government official photo identification card	<b>\$18.00</b>
23 V.S.A. §114(a)(17) Listing of 1-4 current or expired operator's license	<b>0</b>
23 V.S.A. §114(a)(18) Statistics and research	<b>\$931.00</b>
23 V.S.A. §114(a)(19) Insurance information of accident	
23 V.S.A. §114(a)(20) Certified copy of complete operating record (Vermont only)	<b>\$40,872.00</b>
23 V.S.A. §114(a)(21) Records not otherwise specified	<b>0</b>



Department of Motor Vehicles  
*Agency of Transportation*

120 State Street  
Montpelier, Vermont 05603-0001  
(voice) 802.828.2000  
**dmv.vermont.gov**

23 V.S.A. §114(a)(22) Public records request for Department records requiring customer per hour, but not computer programming less than	<b>0</b>
23 V.S.A. §114(a)(23) Public records request for Department records requiring custom computer programming (updated)	<b>\$50,211.00</b>

**All fees collected for the above transactions have been deposited into the Transportation Fund.**

## **Driver Privacy Protection Policy**

Statutory Reference:

*18 U.S.C. §2721 - Prohibition on release and use of certain personal information from State motor vehicle records*

*23 V.S.A. §104 – Public records*

- I. Statement of Purpose: The purpose of this policy is to ensure that the State of Vermont, Department of Motor Vehicles is in substantial compliance with the Driver Privacy Protection Act of 1994. The policy has been developed to protect an individual's rights to privacy to the extent possible while allowing access to targeted information for legitimate purposes.
- II. Definitions:
  - a. "Motor Vehicle Records" shall mean any record that pertains to a motor vehicle operator's permit, driver's license, motor vehicle title, motor vehicle registration, or identification card issued by the Department of Motor Vehicles.
  - b. "Person" shall mean an individual, organization or entity, but does not include this State or any Agency thereof.
  - c. "Named Person" shall mean that, depending upon the type of information sought, the person making the request has furnished either the name and date of birth of an individual or the registration plate number or VIN of a vehicle.
  - d. "Personal Information" shall mean information in a motor vehicle record that identifies an individual, including an individual's photograph or computerized image, social security number, driver identification number, name, address other than the five-digit zip code, telephone number, and medical or disability information, but does not include information on vehicle accidents, driving violations and driver's license and registration status.
  - e. "Disclosure" shall mean releasing information from Department records requested under either 1 V.S.A. Chapter 5, Subchapter 3, 23 V.S.A. Chapter 3 or the Driver Privacy Protection Policy, as applicable. Disclosure shall be subject to Department system and resources capabilities and established costs.
- III. Prohibition on Release and Use of Certain Personal Information from Motor Vehicle Records: Except as specifically provided for, the Department of Motor Vehicles (the "Department") and any officer, employee or contractor thereof shall not knowingly disclose or otherwise make available to any person, personal information about any individual obtained by the Department in connection with a motor vehicle record.
- IV. Release and Use of Certain Personal Information from Motor Vehicle Records:
  - a. Persons requesting personal information shall properly identify themselves to the Department and shall make all requests for personal information under oath in accordance with 23 V.S.A. § 201 and on a form or in a manner satisfactory to the Department.
  - b. Unless personal information is confidential or exempt from disclosure under some other provisions of law, personal information in a motor vehicle record shall be disclosed for legitimate purposes as follows:
    - i. Use 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, motor vehicle parts and dealers by

motor vehicle manufacturers and removal of non-owner records from the original owner of the records of motor vehicle manufacturers to carry out the purpose of the Automobile Information Disclosure Act, the Motor Vehicle Information and 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 and may be disclosed for the same uses though not specifically required under the reference Acts.

- ii. Further, information may be disclosed for legitimate purposes as follows:
  1. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person acting on behalf of a government agency in carrying out its functions. (18 U.S.C. §2721(b)(1))
    - This option is used by government agencies, such as law enforcement or toll operators, to gain information about vehicle owners.
    - Users requesting information for this option must provide proof that they are the entity they claim to be, such as a government identification or a letter on department/agency letterhead.
  2. For use in connection with matters of motor vehicles or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers. (18 U.S.C. §2721(b)(2))
    - This option is generally used by vehicle manufacturers to allow them to contact owners of vehicles effected by recalls or to update their records for future correspondence.
    - Requests using this option must be accompanied by an explanation of intended use on company letterhead.
  3. For use in the formal course of business by a legitimate business or its agents, employees, or contractors to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors. (18 U.S.C. §2721(b)(3)(A))

*If information provided does not match DMV records, correct information will not be provided. DMV will only disclose that information does not match.*

    - This option is typically used by businesses employing drivers with CDLs to verify driving records as required by 49 C.F.R.
    - Businesses requesting this information must provide a letter on company letterhead explaining why they qualify to receive data.
  4. For use in connection with any proceeding in any court or government agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of any court. (18 U.S.C. §2721(b)(4))



- This option is typically used by lawyers involved in a case to gain information about a driver or vehicle owner. Potential uses could include to find their address, locate a vehicle, or prove ownership.
  - Persons using this option must provide documentation from an officer of the court (lawyer or law firm) or court describing the intended use.
5. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting. (18 U.S.C. §2721(b)(6))
    - Typically used by insurance companies to verify ownership of a vehicle involved in a claim or underwriting activities
    - **Requests falling under this option must be accompanied by a letter on company letterhead detailing intended use.**
  6. For use by an employer, of its agent or insurer, to obtain or verify information relating to a holder of a commercial driver's license which is required under the Commercial Motor Vehicle Safety Act of 1996 [Title XII of Public Law 99-570]. (18 U.S.C. §2721(b)(9))
    - Generally used by employers with CDL drivers to perform driving record checks of their employees as required by 49 C.F.R.
    - Requests using this option must be accompanied by a letter on company letterhead detailing intended use.
  7. Unrestricted or specified use with written consent of the person who is the subject of the information. This includes information regarding oneself. (18 U.S.C. §2721(b)(13))
    - This option allows a person to access any information that the Department has on themselves for any purpose that they so choose.
    - Requestors using this option must provide proof of their identity (state issued photo identification – driver's license, learner's permit, or non-driver ID card)
  8. For any use specifically authorized by law that is related to the operation of a motor vehicle or public safety. (18 U.S.C. §2721(b)(14))
    - This option is generally used by businesses and agencies involved in public safety, such as ambulance services, or with drivers of vehicles that do not require a commercial driver's license to operate.
    - Requestors using this option must provide a letter on company/agency letterhead detailing the intended use of the information and a proof of identity (state issued photo identification – driver's license, learner's permit, or non-driver ID card or agency/company identification card)

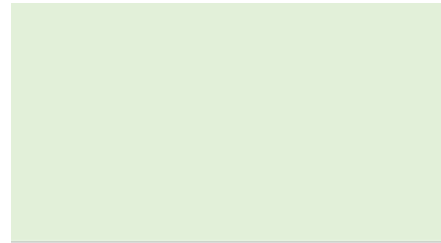
9. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals. (18 U.S.C. §2721(b)(5))
  - Data for research activities will be shared, but personal information is not disclosed.
- iii. The following permissive disclosures are not to be honored:
  1. For use in providing notice to the owners of towed or impounded vehicles. (18 U.S.C. §2721(b)(7))
    - Owners or lienholders of towed or impounded vehicles may use the existing abandoned vehicle process to gather any information contained in DMV records.
  2. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection. (18 U.S.C. §2721(b)(8))
    - Private investigators may access information in DMV records through any of the other relevant permissive uses under which the Department shares information.
  3. For use in connection with the operation of private toll transportation facilities. (18 U.S.C. §2721(b)(10))
    - Currently do not receive requests from private toll operators; information shared with state toll authorities is shared under 18 U.S.C. §2721(b)(1).
  4. For bulk distribution for surveys, marketing or solicitations if the State has obtained the express consent of the person to whom such personal information pertains. (18 U.S.C. §2721(b)(12))
    - The sale of information contained in Department records for survey or solicitation does not benefit Vermonters.
- iv. A person shall have access to motor vehicle records relating to such person upon proof of identity. Motor vehicle records relating to a person may be made available to any other person upon proof, in such form and manner as the Department prescribes, that the written consent of the person who is the subject of the record has been obtained.
- v. Personal information may be disclosed for any other use specifically authorized under the laws of the State if such use is related to the operation of a motor vehicle or public safety.
- c. Information pertaining to Vehicular Accidents, Driving Violations and Driver's License and Registration Status: In the definition of "personal information", there is an express exclusion of information on vehicular accidents, driving violations and driver's license and registration status. Therefore, this information is not considered to be within the scope of the DPPA. Information on vehicular accidents, driving violations and driver's license and registration status will be made available in accordance with 1 V.S.A. Chapter 5, Subchapter 3 and 23 of V.S.A. Chapter 3.
- d. Resale or Redisclosure: A recipient of personal information for a particular use may not use the information or make the information available for any use other than for a use permitted under this policy. The recipient may sell or otherwise make the information

available for any use permitted under this policy. A recipient who resells or rediscloses personal information permitted under section III must keep, for a period of 5 years, records identifying each person or entity that received information and the permitted purpose for which the information will be used and must make such records available to the Department of Motor Vehicles upon request.



Requests for Vermont Department of Motor Vehicles records must be submitted on this form. The form must be completed in ink.

All applicable sections of this form (front and back) must be completed to obtain the requested information. Do not mail cash! Make check or money order payable (in U.S. funds) to: **Vermont Department of Motor Vehicles.**



**Signature required on back of form.**

Requester Name:		DBA/Company Name:	
Nature of Business:			
Mailing Address:	Street/Box Number:		
	City, State, Zip Code:		
Mail to (if different than above):			
Telephone:		Email:	

**Documents Requested** (select all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Listing of 1 - 4 current or expired registrations – \$8.00   | <input type="checkbox"/> Periodic inspection sticker record – \$8.00                              |
| <input type="checkbox"/> Listing of 1 - 4 current or expired operator's license – \$8.00  | <input type="checkbox"/> Certified copy of suspension notice – \$8.00                             |
| <input type="checkbox"/> Certified copy of current or original registration application – \$8.00  | <input type="checkbox"/> Certified copy of reinstatement notice – \$8.00                          |
| <input type="checkbox"/> Certified copy of expired operator's license application – \$8.00  | <input type="checkbox"/> Certified copy of title – \$6.00   |
| <input type="checkbox"/> Certified copy individual accident report – \$12.00  | <input type="checkbox"/> Certified copy of vehicle title search, title info, lien info. – \$22.00 |
| <input type="checkbox"/> Certified copy police accident report – \$18.00  | <input type="checkbox"/> Certified copy of vessel, snowmobile, or ATV title search – \$13.00      |
| <input type="checkbox"/> Insurance information of accident – \$8.00   | <input type="checkbox"/> Certified copy of 3-year operating record (Vermont only) – \$14.00       |
| <input type="checkbox"/> Statistics and research – \$42.00 per hour   | <input type="checkbox"/> Certified copy of complete operating record (Vermont only) – \$20.00     |
| <input type="checkbox"/> List of registered dealers, transporters, periodic inspection stations, rental vehicle companies, fuel dealers and distributors (including gallons sold or delivered - \$8.00 per page |   |
| <input type="checkbox"/> Other – Provide detailed explanation on reverse side. All other forms of information requested provided will be at a minimum of \$8.00 per page  |   |

**Information requested concerning** (complete as much information as possible):

<b>VIN:</b>	<b>Vehicle Make:</b>	<b>Vehicle Year:</b>	<b>VT License Plate:</b>	<b>Expiration Date:</b>		
<b>Name:</b>	<b>VT Driver's License Number:</b>	<b>Date of Birth:</b>	<b>Social Security Number:</b>			
<b>Date(s) you want covered, if applicable. Does not apply to driving records.</b>						
<b>Month:</b>	<b>Day:</b>	<b>Year:</b>	<b>Through</b>	<b>Month:</b>	<b>Day:</b>	<b>Year:</b>

Specific information requested:
Detailed explanation of intended use (attach additional sheet if necessary):

The information requested may be disclosed if authorized by the Driver Privacy Protection Act. Information being requested is **(initial appropriate category below\*)**:

	For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person acting on behalf of a government agency in carrying out its functions. (18 U.S.C. §2721(b)(1))
	For use in connection with matters of motor vehicles or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers. (18 U.S.C. §2721(b)(2))
	For use in the formal course of business by a legitimate business or its agents, employees, or contractors to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors. (18 U.S.C. §2721(b)(3)(A)) <i>If information provided does not match DMV records, correct information will not be provided.</i>
	For use in connection with any proceeding in any court or government agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of any court. (18 U.S.C. §2721(b)(4))
	For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals. (18 U.S.C. §2721(b)(5))
	For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting. (18 U.S.C. §2721(b)(6))
	For use by an employer, of its agent or insurer, to obtain or verify information relating to a holder of a commercial driver's license which is required under the Commercial Motor Vehicle Safety Act of 1996 [Title XII of Public Law 99-570]. (18 U.S.C. §2721(b)(9))
	Unrestricted or specified use with written consent of the person who is the subject of the information. This includes information regarding oneself. ("Release portion" on other side of this form must be completed in full.) (18 U.S.C. §2721(b)(13))
	For any use specifically authorized by law that is related to the operation of a motor vehicle or public safety. (18 U.S.C. §2721(b)(14))

### AUTHORIZATION OF RELEASE OF INFORMATION

I hereby, with my signature, authorize (name of person or business you are authorizing):

- To perform a one-time search of the Vermont Department of Motor Vehicles files pertaining to me and any resulting reports. Or;
- A one-time authorization to transact business pertaining to me within the Vermont Department of Motor Vehicles.

Signature of individual authorizing release:	Date of authorization:

In requesting and using this information I acknowledge that this disclosure and any re-disclosure is subject to the Driver Privacy Protection Act (18 U.S.C. §2723). This is signed and the request is made subject to penalties of 18 U.S.C §2723 and V.S.A. §202.

Signature of requestor:	Date of request:
Printed name of requestor:	Driver's license number of requestor:

Upon receipt of this request by the Vermont Department of Motor Vehicles, it will be reviewed by appropriate personnel to determine whether this request conforms to DPPA protocol and requirements. Failure to meet these qualifications or to provide adequate information to make a determination will result in the denial of your request.

***\*Note - Documents identifying the requestor are required for all requests. You must include copies of your state issued identification and documentation that you are authorized to obtain the requested information. If you are unsure of what documents are required, please call 802.828.2000.***

#### FOR DEPARTMENT USE ONLY - DO NOT WRITE BEYOND THIS POINT

This request is hereby denied as the record(s) is/are exempt from inspection and copying for the following reason:

- They are records which, by law, are designated confidential or by a similar term.
- They are records which, by law, may only be disclosed to specifically designated persons.

You have the right to appeal this denial to the Commissioner of Motor Vehicles (must be submitted in writing).

Vermont Department of Motor Vehicles \_\_\_\_\_

The Vermont Department of Motor Vehicles, hereinafter referred to as the DMV,  
and \_\_\_\_\_ hereinafter referred to as the  
User, by and through its undersigned, authorized agents hereby agree as follows:

The DMV will allow the User access to certain of its records for the purpose of obtaining personal information but only for those purposes specifically authorized by the Driver Privacy Protection Policy.

The information being requested by the User is for the following use(s):

- For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person acting on behalf of a government agency in carrying out its functions. *Copy of government agency, court or law enforcement ID or authorization must be attached to all requests.* (18 U.S.C. §2721(b)(1))
- For use in connection with matters of motor vehicles or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers. (18 U.S.C. §2721(b)(2))
- For use in the formal course of business by a legitimate business or its agents, employees, or contractors to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors. (18 U.S.C. §2721(b)(3)(A))
- For use in connection with any proceeding in any court or government agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of any court. (18 U.S.C. §2721(b)(4))
- For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals. (18 U.S.C. §2721(b)(5))
- For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting (18 U.S.C. §2721(b)(6))
- For use by an employer, of its agent or insurer, to obtain or verify information relating to a holder of a commercial driver's license which is required under the Commercial Motor Vehicle Safety Act of 1996 [Title XII of Public Law 99-570]. (18 U.S.C. §2721(b)(9))
- For any use specifically authorized by law that is related to the operation of a motor vehicle or public safety. (18 U.S.C. §2721(b)(14))

Upon receipt of this request by the DMV, it will be reviewed by appropriate departmental personnel to determine whether this request conforms to DPPA protocol and requirements. Failure to meet these qualifications will result in a denial of your request.

In requesting and using this information the User acknowledges that this disclosure and any re-disclosure is subject to penalties of the Federal Driver Privacy Protection Act (18 U.S.C. §2723). It is further understood and agreed by the **Company/Purchaser, etc.**, that in the event of any resale or redisclosure of personal information covered by the Act, **the Company/Purchaser, etc.**, must keep for a period of five years, records identifying each person or entity that receives information and the permitted purpose for which the information will be used. **The Company/Purchaser, etc.**, must make such records available to the Department upon request. This is signed and the request made subject to the penalties of 18 U.S.C. §2723 and 23 V.S.A. §202. The DMV is aware that the information received by the User will be sold, given, transferred, shared with, or otherwise made available to other persons, firms, corporations, or government agencies, based on the User's certification herein that everyone receiving this information will be legally entitled to it. To safeguard the security of such information obtained from the Department, the User certifies that it will not retain any information obtained pursuant to this agreement, except that the User may retain copies solely to comply with retention requirements imposed by applicable laws. However, the User must retain written evidence of appropriate use of this information as more fully described above.

Further, it is understood that any release of information from Department records requested under either 1 V.S.A. Chapter 5, Subchapter 3, 23 V.S.A. Chapter 3 or the Driver Privacy Protections Policy, as applicable, shall be subject to Department system and resources capabilities and established costs.

Requestor Name*:		DBA/Company Name:	
Nature of Business:			
Mailing Address:	Street/Box Number:		
	City, State, Zip Code:		
Mail to (if different than above):			
Telephone:		Email:	
Detailed explanation of intended use (attach additional sheet if necessary):			
Signature:		Title:	
Names of employees/requestors authorized to perform DPPA work for you:			

Approved:

\_\_\_\_\_  
Commissioner, Department of Motor Vehicles

\_\_\_\_\_  
Date

*\*Note – Documents identifying the requestor are required for all requests. You must include copies of your state issued identification and documentation that you are authorized to obtain the requested information. If you are unsure of what documents are required, please call 802.828.2000.*

Department of Motor Vehicles  
Agency of Transportation

120 State Street  
Montpelier, Vermont 05603-0001  
802.828.2011  
[dmv.vermont.gov](http://dmv.vermont.gov)

December 14, 2020

NIC Vermont  
90 Main Street, Suite 302  
Montpelier, VT 05602

**REFERENCE:**

Attn: Nancy Dutil

DMV has received a application to request online access to driver's history records in accordance with the DPPA Policy under the Driver Privacy Protection Act.

The request has been approved for the below individual (s) pertaining to *permissive* of the DMV Agreement and is valid until 3/19/2021. The access is not transferable to another individual.

*For Use by an employer, of its agent or insurer, to obtain or verify information relating to a holder of a commercial driver's license which is required under the Commercial Vehicle Safety Act of the 1996 [Title XII of Public Law 99-507] (18 U.S.C. §2721(b)(9))*

If you have any questions, let me know.

Thank you,

DMV Commissioner's Office