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Memo To: Senate Committee on Economic Development, Housing and General
Affairs
From: Andrew Collier, Commissioner, Department of Motor Vehicles
Date: April 17, 2026
Subject: H.211 Relating to the Driver Privacy Protection Act

Senator Clarkson and Committee,

The Driver's Privacy Protection Act of 1994 (DPPA) came about as a need to protect personal information obtained by states departments of motor vehicles. Under 18 U.S.C.A. § 2721 et seq. all state departments of motor vehicles have certain obligations relating to the prohibition and release of personal information from state motor vehicle records.

In Vermont, state motor vehicle records are derived from the Vermont DMV motor vehicle records which include driver's license and identification card applications or renewals, and the registration of motor vehicles.

The DPPA defines personal information as a driver identification number, identification card number, name, address (but not the 5-digit zip code), telephone number, and email address.

The DPPA defines highly restricted personal information as an individual's photograph, social security number, and medical or disability information. Highly restricted personal information is not provided to data brokers by Vermont DMV under the DPPA.

Under the DPPA it is mandatory that all states departments of motor vehicles release motor vehicle records "For 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; 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).

As a mandatory requirement, the Vermont DMV must release records for the above uses pursuant to 18 U.S.C. § 2721. As such, the State of Vermont cannot allow individuals to opt out of providing their data in accordance with the DPPA.

Information which is released pursuant to 18 U.S.C. § 2721(b)(2) is personal information, but not highly personal information.

To remain in compliance with the requirements of the DPPA, it is my recommendation that the following language be added to 9 V.S.A. §2446(c)(3):

(C) The personal information was properly obtained under the provisions of the Driver's Privacy Protection Act of 1994 (DPPA) and is being used in compliance with the Act [or DPPA].

Thank you for your consideration. Please reach out to me if you would like any further clarification.