

## Certificate of Acceptable Use - Interactive Driver's License Records

Driver Protection Privacy Act: Prohibition on release and use of certain personal information by States, organizations and persons.

If this document is being signed by a representative of the company or organization, the form must be signed by an individual legally authorized to obligate your company to an agreement.

I certify that \_\_\_\_\_ (Company Name/Requestor) is eligible under the *Driver Privacy Protection Act of 1994* (18 USC App. 2721 et seq.) and relevant Rhode Island regulations and stipulations associated with this law.

Requestor certifies legal fulfillment in at least one of the federally regulated categories of permissible use and understands that by signing this form, Requestor agrees to adhere to all regulations and stipulations associated with this law.

In requesting and using this information, the Requestor acknowledges that this disclosure and any re-disclosure of a Driver Record is subject to penalties of the Federal Driver Privacy Protection Act (18 USC 52723). It is further understood and agreed by the Requestor that in the event of any resale or re-disclosure of personal information covered by the Act, the Requestor 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 Requestor must make such records available to the Division of Motor Vehicles (the "DMV") upon request. This is signed and the request made subject to the penalties of 18 USC 52723. The DMV is aware that the information received by the Requestor will be sold, given, transferred, shared with, or otherwise made available to other persons, firms, corporations, or government agencies, based on the Requestor's certification herein that everyone receiving this information will be legally entitled to it. Requestor or their authorized designees understand and agree that when requesting a Driver Record from the DMV, they shall only use that record once, for one purpose, and shall thereafter not supply such record to more than one customer of the Requestor, nor supply such record more than once to any customer of a Requestor. To safeguard the security of such information obtained from the Division, the Requestor certifies that it will not retain any information obtained pursuant to this agreement, except that the Requestor may retain copies solely to comply with retention requirements imposed by applicable laws. However, the Requestor must retain written evidence of appropriate use of this information as more fully described above.

Requestor further understands that it is a violation of Federal law to give false information to obtain such records and that by violating this Federal mandate Requestor is subject to prosecution.

Should Requestor or Requestor's customers upon subsequent examination be found to have submitted a request and thereby obtained personal information, which request does NOT fall within one of the federally regulated categories of permissible use, the Requestor, Requestor's customer, or both could be subject to criminal and civil penalties provided for such a violation in the Drivers Privacy Protection Act of 1994.

If you are not certain you or your company qualify to obtain opt out records, please refer to the actual text of the law (18 USC App. 2721) to insure compliance.

Please place your initial to the left of the federally mandated category(s) of acceptable use for which you are obtaining opt out records.

- 1) \_\_\_\_\_ For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State or local agency in carrying out its functions.
- 2) \_\_\_\_\_ 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.

- 3) \_\_\_\_\_ For use in normal course of business by a legitimate business or its agents, employees, or contractors, but only –
  - a. to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and
  - b. if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purpose of preventing fraud by pursuing legal remedies against, or recovering on a debt or security interest against the individual.
- 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 judgments and orders, or pursuant to an order of a Federal, State or local court.
- 5) \_\_\_\_\_ 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.
- 6) \_\_\_\_\_ 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.
- 7) \_\_\_\_\_ For use in providing notice to the owners of towed or impounded vehicles.
- 8) \_\_\_\_\_ For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subscription.
- 9) \_\_\_\_\_ For use by an employer or its agent or insurer to obtain or verify information relation to a holder of Commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1985 (49USC App. 2710 et seq).
- 10) \_\_\_\_\_ For use in connection with the operation of private toll transportation facilities.
- 11) \_\_\_\_\_ For any other use in response to requests for individual motor vehicle records if the State has obtained the express consent of the person to whom such personal information pertains.
- 12) \_\_\_\_\_ For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
- 13) \_\_\_\_\_ For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.

This certification is effective upon signature of all parties.

Company (Requestor)

Division of Motor Vehicles

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_  
(Please print)

Title: \_\_\_\_\_  
(Please print)

Date: \_\_\_\_\_

Date: \_\_\_\_\_