



North Carolina Division of Motor Vehicles

CRASH AND BULK DATA MANAGEMENT
3106 MAIL SERVICE CENTER
RALEIGH, N.C. 27697-3106
PHONE: (919) 615-7422 | FAX # (919) 715-9099

REQUEST & AGREEMENT TO ACCESS MULTIPLE RECORDS CONTAINING PERSONAL INFORMATION

Applicable Law and Fees

The North Carolina Division of Motor Vehicles (DMV) shall disclose personal information contained in DMV records in accordance with the Federal Driver's Privacy Protection Act (DPPA) of 1994 and North Carolina General Statute § 20-43.1. Personal information from these records may be released to individuals or organizations that qualify under exceptions within the DPPA listed at the end of this form. North Carolina General Statute § 20-42 provides the schedule of fees for accident reports. North Carolina General Statute § 20-26 provides the schedule of fees for driver's license records. North Carolina General Statute § 20-43.1 provides that there will be three cents per record charge for bulk data. There also may be fees to access the Division's system. The fees are statutory and are subject to change without notice.

Authorization to Access Records

The purpose of this form is to establish the nature of the request, how the information will be used, the exception(s) under which the request is made and a signed agreement that the information will not be released to others except as provided in the DPPA, State law, and only as approved by the Division of Motor Vehicles. Modifying this form will result in DMV denying your request.

I and/or my below identified business/agency hereby request on-line access to the following information, records or data (Be specific):

Employee and Post-offer employment candidate drivers license records.

This agency/business is qualified to obtain this information under exception number(s) 1, 14 listed on the end of this form.

Explain in detail why your agency qualifies under the noted exception(s). How will the data or records be used? Please describe your business process in how the records are used. (Attach an additional sheet if necessary.)

The information will be used to evaluate the driver's vehicle operation safety record, and drivers license active status for operation of Town of Apex motor vehicles.

If applicable, my license number is _____ and is issued by _____.

Access Information

Requesting User ID's for 4 (existing users) users. (Attach a list of users to this application if applicable)

The individual associated with a specific User ID is the only person permitted to use it for the purposes approved by the Division. Individuals with a specific User ID shall not share User IDs. System-to-system user identification numbers are not available. This practice is not supported by DOT and is prohibited by policy. User ID's will be disabled after forty-five (45) days of inactivity. DMV reserves the right to revoke access without prior notice and shall do so if any billing or access conditions are violated.

Access Coordinator & Contact Person

Name: Mark Willing

Title: Safety and Risk Manager

Business or Agency: Town of Apex

Telephone: 919-249-3406 Fax: 919-249-3309

Email (Required) mark.willing@apexnc.org

Mailing Address Town of Apex, PO Box 250, Apex, NC 27502

Street Address 73 Hunter Street

City / State / Zip Apex, NC 27502

Additional Terms and Conditions

I agree to all other terms within this agreement and further agree and understand that:

1. DMV reserves the right to revoke access without prior notice and shall do so if *any* terms are violated.
2. I am familiar with the Drivers Privacy and Protection Act (18 U.S.C. 2721 et seq.) and N.C. Gen. Stat. § 20-43, § 20-43.1, and N.C. Gen. Stat. § 75-65, and understand that improper access or release of information or false representation to gain information from the DMV's records is unlawful.
3. I have full authority to bind the above-listed agency or business contractually.
4. The agency or business shall comply: with all relevant laws; State and Division's policies and procedures; and openly and fully with any investigations of suspected breaches or violations of the Drivers Privacy and Protection Act or state statutes arising from the agency's or business' access or use of Division records.
5. The agency or business qualifies under the exception(s) noted above and that the information will be used only by authorized persons and for the purposes approved by the Division or as permitted by law.
6. The agency or business shall: (1) keep and maintain records as required by 18 U.S.C. 2721 (c); (2) make such records available to the Division of Motor Vehicles *immediately* upon request; and (3) for each record accessed, delineate and identify the exception for which the agency or business qualifies. Exception 8 may not be used for record keeping purposes.
7. The agency or business shall indemnify the Division for and against any and all claims, losses, damages, judgments, liabilities or similar costs and expenses that arise in whole or in part out of the acts of omissions of the agency or business with respect to or as a result of its failure to abide by the terms of this agreement, including, without limitation, reasonable attorneys' fees, and all other costs of defending any such action or claim.

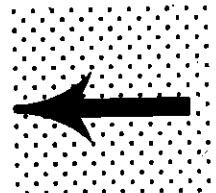
Name: _____

Title: _____

Business or Agency: _____

Signature _____

Date _____



**SIGN
HERE**

DMV Security Coordinator Approval

Name _____ Signature _____ Date _____

Excerpt from the DPPA - 18 U.S.C. § 2721

FEDERAL DRIVER'S PRIVACY PROTECTION ACT Enacted by Congress August 24, 1994

Generally, a State department of motor vehicles, and any officer, employee, or contractor thereof, shall not knowingly disclose or otherwise make available to any person or entity personal information about any individual obtained by the department in connection with a motor vehicle record, except as provided in subsection (b) of this section.

Personal information shall be disclosed 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 and dealers by motor vehicle manufacturers, and as otherwise required by statute.

Permissible Uses

Personal information may be released for the following reasons: (List qualifying number on page one)

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 the 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 purposes 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 subsection.
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.
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 bulk distribution for surveys, marketing or solicitations if the State has obtained the express consent of the person to whom such personal information pertains.
13. For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
14. 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.

