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May 7, 2007

MEMORANDUM

2007-11

TO: ALL LICENSE PLATE ISSUING OFFICIALS

FROM: Billy R. Phillips, Supervisor
Motor Vehicle Division

SUBJECT: Driver's Privacy Protection Act (DPPA) Disclosure

This memorandum serves to remind all License Plate Issuing officials that **personal information** contained in motor vehicle registration and title records listed on the Alabama Vehicle Information System (ALVIS), and State Mainframe may not be provided to third parties such as private investigators, when the records do not pertain to that particular county. (**For example, County "A" releasing records pertaining to County "B"**). If someone completes an MVDPPA1-C (Request for Motor Vehicle Records from County Officials) form for County "A", the information can only be obtained from records of County "A". If County "B" records, the requestor must obtain the information from County "B" or from the Department of Revenue's Motor Vehicle Division.

The federal Drivers Privacy Protection Act (Public Law 106-69, Section 350) provides **strict sanctions** for **improper disclosure or release** of motor vehicle records. These sanctions are:

1. The U.S. Attorney General can fine the jurisdiction up to \$5,000 a day for each day of non-compliance.
2. Anyone whose personal information in a motor vehicle record is released in violation of the DPPA can bring suit in federal court against the **state, county, or individual** that released the data, and the federal law allows the federal judge to award actual damages, but not less than liquidated damages, in the amount of \$2,500; also the court can award punitive damages, attorney's fee and other litigation costs, and such other preliminary and equitable relief as the court determines to be appropriate.

In addition, the Alabama Computer Crime Act (Section 13-A-8-100, et seq., Code of Alabama 1975), sets forth various criminal violations related to computers. Section 13-A-8-102(a), Code of Alabama 1975 states:

"Whoever willfully, knowingly, and without authorization or without reasonable grounds to believe that he has such authorization, attempts or achieves access, communication, examination, or modification of data, computer programs, or supporting documentation residing or existing internal or external to a computer, computer system, or computer network commits an offense against intellectual property."

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The offense is punishable as a Class A misdemeanor, Class A felony, or as a Class C felony depending on the specific nature of the offense.

We respectfully request that all license plate issuing officials share this information with all employees in their office, who are responsible for releasing motor vehicle registration and title records. Also, please advise all vendors who obtain personal information from county officials that they are subject to all disclosure provisions as provided for in the federal Driver's Privacy Protection Act.

Should you have any questions, please contact the Vehicle Services Section at (334) 242-9006, or contact me directly at billy.phillips@revenue.alabama.gov.