

Understanding the UNIFORM MOTOR VEHICLES RECORDS DISCLOSURE ACT

Also known as the Driver's Privacy Protection Act (DPPA)

**Prepared by: The West Virginia DMV Information Services Staff and
the West Virginia DMV General Counsel.**

RELEASE OF PERSONAL INFORMATION FROM DMV RECORDS

FREEDOM OF INFORMATION ACT

Prior to September 1997, the DMV was required by law to release personal information from its records under the Federal and West Virginia Freedom of Information Acts (or FOIA). Since September 1997, the release of personal information by the DMV has been restricted by the passage of the DPPA.

WHY CHANGE?

A California DMV employee gave a private investigator an actress' address. The investigator gave the address to the stalker who then killed the actress. That prompted federal legislators to pass the DPPA. The Federal DPPA required that all states pass similar legislation. In response, West Virginia passed the West Virginia Uniform Motor Vehicle Records Disclosure Act.

The West Virginia Uniform Motor Vehicle Records Disclosure Act Is Commonly Referred To As DPPA.

**West Virginia Code
§17A-2A-1 through 14**

WHAT IS DPPA?

**DPPA stands for the
DRIVER PRIVACY PROTECTION ACT
enacted by the Federal Government in 1997 to restrict
people from obtaining personal records from DMV.**

INTENT of the DPPA . . .

is to permit access by all legitimate users of the personal information kept by the Division, while **DENYING ACCESS TO THE IDLY CURIOUS.**

WHAT IS PERSONAL INFORMATION?

ANYTHING that identifies a person, including his or her photograph or computerized image, Social Security number, driver identification number (driver's license number), name, address (excluding the five-digit zip code), telephone and medical or disability information ...

West Virginia Code
§17A-2A-3(f)

DPPA

Under the DPPA, the Division **MUST SELL** or release personal information individually or in bulk form from its records to permitted users.

PERMITTED USERS

A person or company must be a permitted user as defined under DPPA to receive personal information from DMV records.

**TO PERMIT OR NOT TO PERMIT ...
THAT IS THE QUESTION!**

Customers who want copies of their **OWN driving records are permitted users.**

Others may be permitted users. To determine if you are a “permitted user” you must complete the appropriate form and mail it to the Driver Services or the Information Services Sections.

DPPA

The Division is PROHIBITED from releasing **PERSONAL** information to anyone who does not qualify under DPPA.

EXAMPLES OF PROHIBITED VENUES:

NEWS MEDIA

- television stations
- radio stations
- newspapers
- internet
- e-mail

Even if a person or company qualifies as a permitted user, personal information CANNOT BE RELEASED OR RESOLD for **MARKETING, SURVEYS or SOLICITATION** (unless an “opt in” form is completed).

DMV FINGER IMAGING

DPPA prohibits the disclosure and use of finger images obtained by the Division. The finger images cannot be used for any purpose except processing and issuing a driver's license.

West Virginia Code Section
§17A-2A-4

ABSOLUTELY

NO personal information can be given over the telephone.

Personal information contained in previously issued car titles cannot be released, even to the new owner of the car. Vehicle information can be released, but personal information about the owner cannot be released except to permitted users. If you would like that information, you must contact the local law enforcement agency or insurance carrier.

DID YOU KNOW?

You may receive information in person or by telephone regarding the following:

- STATUS of driver's license, including: revocations, suspensions, and citations.**
- STATUS of vehicle title or plate, and vehicle information.**

HOW TO OBTAIN PERSONAL INFORMATION

All requests for information must be made in writing.

The request must be for legitimate purposes as defined by the DPPA.

There are separate forms for requesting vehicle and driver's license information.

These forms are on the following web site:
www.state.wv.us.

WEST VIRGINIA WEB SITE

Request forms are available on the West Virginia web site which is: www.state.wv.us.

- Go to DMV**

- then to DMV links**

- then to forms.**

WHAT FORMS ARE USED BY DMV?

“Vehicle Request” (DMV-100)

“Driver Request” (DMV-101)

“Message Forwarding” (DMV-102)

**ALL FORMS ARE AVAILABLE AT EACH
DMV BRANCH OFFICE ACROSS WEST
VIRGINIA AND ON THE WEBSITE.**

**‘OPT-IN’ FORMS ARE ONLY
AVAILABLE AT DMV REGIONAL
OFFICES. COPIES WILL NOT BE
ACCEPTED.**

IDENTITY REQUIREMENTS

All persons requesting information must provide proof of identification along with a completed form. A copy of the identification information must be attached to every request.

- Walk-ins must provide photograph identification. Mail-in requests must be notarized.

- A request must be accompanied by payment of the required fee.

PERSONAL DRIVING RECORD

If you request a copy of your **OWN** driving record you must:

- > Complete a “Request for Driving Record” form.
- > Provide a photo ID.
- > Pay the required fee.

DRIVING RECORDS OF OTHERS

If you or your company requests driving records (personal information about **SOMEONE ELSE**) a “Request for Driving Record Form” must be completed, notarized and mailed with the appropriate fees to the:

**DIVISION OF MOTOR VEHICLES
DRIVER SERVICES, CITATIONS UNIT
1800 KANAWHA BLVD. E., BLDG. 3
CHARLESTON, WV 25317.**

VEHICLE INFORMATION REQUESTS

If you or your company requests vehicle records, a “Request for Vehicle Information” form must be completed, notarized and mailed to the:

**DIVISION OF MOTOR VEHICLES
RECORDS SECTION
1606 WASHINGTON STREET E.
CHARLESTON, WV 25311.**

DMV BRANCH OFFICES

**Individuals may receive copies of their
OWN personal information at one of the
many DMV branch offices throughout
West Virginia.**

MESSAGE FORWARDING

WHAT IF ...

you have a legitimate need for personal information, but you are not a permitted user under DPPA?

For example, you want to locate an:

Ex-spouse

Graduate/Classmate

Military Personnel

Friend

Family Member.

The Division of Motor Vehicles can use MESSAGE FORWARDING to possibly help you find that person.

THE DMV OFFERS A 'MESSAGE FORWARDING' SERVICE

A "MESSAGE FORWARDING" form is used if you do not qualify to receive personal information about someone else.

You must complete the Message Forwarding Form. On that form you may write a message to someone about the situation and the DMV forward the message to the registered owner or driver.

NOTE: The DMV will mail your form to the last address of record. The DMV can NOT guarantee that your message will be received by your intended party or that you will receive a response. The fee is non-refundable. The DMV retains the right to refuse sending obscene or threatening messages.

**For more information on Message
Forwarding contact:**

**Lynda Osborne
DMV Records Section
1606 Washington Street East
Charleston, WV 25311.**

MULTIPLE INFORMATION REQUESTS

**Personal information requests about
more than five people must be mailed to:**

**Lynda Osborne or Barbara Smith
DMV Records Section
1606 Washington Street East
Charleston, WV 25311.**