



MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
DRIVER AND VEHICLE SERVICES

**DVS Business Partner Individual Web Application  
Agreement and Intended Use Statement**

**Individual**

This agreement is between the State of Minnesota, acting through its *Department of Public Safety* (hereinafter "STATE") and \_\_\_\_\_, an individual employed by \_\_\_\_\_ (hereinafter "DVS BUSINESS PARTNER").

**I understand that by signing this agreement I am agreeing to the following terms and conditions for gaining access to the STATE's, Driver and Vehicle Services Division (hereinafter "DVS") Web application for a DVS BUSINESS PARTNER.**

1. Access to the DVS Web application is restricted to use in performing my duties as an employee of the DVS BUSINESS PARTNER and only for the uses described in number 7 of this Intended Use Statement.
2. The DVS Web information obtained **will not** be used for personal or non-business purposes.
3. My access is restricted to only that data information necessary to perform my duties as an employee of the DVS BUSINESS PARTNER. The DVS Web application information obtained by me will only be used in the normal course of the DVS BUSINESS PARTNER business.
4. I understand I will have my own user name issued by the STATE, and my password information **will not** be shared with anyone, including other employees or my supervisors. I understand that upon investigation I will be held responsible for any transactions associated with my user name.
5. I understand that improper use or release of this information may result in possible civil penalties under both state and federal law as well as possible disciplinary action up to and including termination of employment by the DVS BUSINESS PARTNER.

**6. Government Data Practices**

As an employee of the DVS BUSINESS PARTNER, I will comply with the Government Data Practices as defined in this agreement. The DVS BUSINESS PARTNER and the STATE must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and U.S. Code Title 18 § 2721, as they apply to all data provided by the STATE under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the DVS BUSINESS PARTNER under this agreement. The civil remedies of Minn. Stat. §§ 13.08 and § 13.09, and U.S. Code Title 18 § 2721 apply to the release of the data referred to in this clause by either the DVS BUSINESS PARTNER or the STATE. (See **Exhibits A and B**)

**7. Intended Use Statement**

Pursuant to 18 U.S.C. § 2721, check the box(es) that correspond to the permissible use(s) that allows you access to DVS data to perform your duties as an employee of the DVS BUSINESS PARTNER.

**See Exhibit B for the list of permissible uses. Check all uses that apply:**

- |                            |                            |                             |                             |                             |                             |                             |
|----------------------------|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 2 | <input type="checkbox"/> 3  | <input type="checkbox"/> 4  | <input type="checkbox"/> 5  | <input type="checkbox"/> 6  | <input type="checkbox"/> 7  |
| <input type="checkbox"/> 8 | <input type="checkbox"/> 9 | <input type="checkbox"/> 10 | <input type="checkbox"/> 11 | <input type="checkbox"/> 12 | <input type="checkbox"/> 13 | <input type="checkbox"/> 14 |

## Type of Access Required

**Driver's License Data**

Provide general use and specific examples of how the driver's license data will be used in performing your duties as an employee of the DVS Business Partner.

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**Motor Vehicle Data**

Provide general use and specific examples of how the motor vehicle data will be used in performing your duties as an employee of the DVS Business Partner.

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**Photo Access** -- Check the box below that applies to the DVS Business Partner pursuant to Minn. Stat. § 171.07, Subd. 1a.

To the issuance and control of drivers' licenses;

To criminal justice agencies, as defined in section [299C.46, subdivision 2](#), for the investigation and prosecution of crimes, service of process, enforcement of no contact orders, location of missing persons, investigation and preparation of cases for criminal, juvenile, and traffic court, and supervision of offenders;

To public defenders, as defined in section [611.272](#), for the investigation and preparation of cases for criminal, juvenile, and traffic courts;

To child support enforcement purposes under section [256.978](#)

Provide specific examples of how the driver's license photo data will be used by DVS Business Partner employees pursuant to Minn. Stat. § 171.07.

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Other data access request and authority – Please Explain:

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I, the undersigned, as a DVS BUSINESS PARTNER employee, attest that by signing this agreement the information provided on this document is correct, that I have completed the data privacy training and printed the certificate of completion, and that I agree to the terms and conditions for intended use of DVS data as defined in Exhibit A and Exhibit B, both of which are attached and incorporated into this agreement by reference.

*I understand my password must be changed every 60 days to remain active. After 90 days of inactivity, my username will be disabled for security reasons.*

DVS Business Partner	DVS Business Contact Person
Signature: _____	Signature: _____
Printed Name:	Printed Name:
Title (no acronyms):	Title (no acronyms):
Date:	Date:
Email:	Email:
Phone Number:	Phone Number:

**Please send completed form to DVS:  
 Email to [DVS.DataServices@state.mn.us](mailto:DVS.DataServices@state.mn.us) or fax to (651) 797-1205**

## Exhibit A

Access to Driver License and Motor Vehicle records is governed by Minnesota Statutes Sections 168.346, 171.12 Subd. 7 and 171.12 Subd. 7a. and United States Code, Title 18, Sections 2722-2725.

### **Under United States Code, Title 18, Sec. 2722 the following are unlawful acts:**

(a) Procurement for Unlawful Purposes. -- It shall be unlawful for any person knowingly to obtain or disclose personal information, from a motor vehicle record, for any use not permitted under section 2721(b) of this title.

(b) False Representation. -- It shall be unlawful for any person to make false representation to obtain any personal information from an individual's motor vehicle record.

### **Under United States Code, Title 18, Sec. 2723 the following penalty may apply to unlawful acts:**

(a) Criminal Fine. -- A person who knowingly violates this chapter shall be fined under this title.

### **United States Code, Title 18, Sec. 2724 provides for the following Civil action.**

(a) Cause of Action. -- A person who knowingly obtains, discloses or uses personal information, from a motor vehicle record, for a purpose not permitted under this chapter shall be liable to the individual to whom the information pertains, who may bring a civil action in a United States district court.

(b) Remedies. -- The court may award--

- (1) actual damages, but not less than liquidated damages in the amount of \$2,500;
- (2) punitive damages upon proof of willful or reckless disregard of the law;
- (3) reasonable attorneys' fees and other litigation costs reasonably incurred; and
- (4) such other preliminary and equitable relief as the court determines to be appropriate.

### **Under United States Code Title 18, Sec. 2725 Motor vehicle record is defined as:**

(1) "motor vehicle record" means any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;

# Exhibit B

## Permissible Uses of Motor Vehicle Data as provided in United States Code, Title 18, Section 2721

- 1) For use by any government agency, including 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 agencies, employees, or contractors; and (B) if such information as so submitted is not correct or is no longer correct, to obtain 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, re-disclosed, or used to contact individuals.
- 6) For use by any insurer or insurance support organization, or by 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 the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. 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 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 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. **List specific statutory authorization.**