

## **SCDMV Disclosure of Personal Information**

### **Does the SCDMV disclose personally identifiable information?**

In accordance with the Federal Driver's Privacy Protection Act (DPPA; 18 USC § 2721, *et seq.*), the SCDMV discloses personally identifiable information (PII) only when the use fits one of the DPPA's exemptions. All business requests for information undergo review by agency senior leadership, including examination by General Counsel Attorneys to verify the specific type of information being requested and validate the requestor has proper justification for the information. If the requestor is entitled to obtain the information under DPPA, then, as a public agency, the SCDMV is required by the Freedom of Information Act (FOIA) to fulfill the request.

### **Do entities requesting information pay for the information they receive?**

Yes. The SCDMV charges entities requesting information for the information they receive in order to recoup the agency's cost related to providing the records. The ability to recoup the agency's cost is enumerated in S.C. Code §30-4-30. Neither the SCDMV nor the State of South Carolina make any profit from this cost recoupment. The money that entities pay for receiving bulk data is remitted to the SCDOT pursuant to Act 275 of 2016.

### **What types of personally identifiable information (PII) does the SCDMV disclose?**

The SCDMV may disclose personally identifiable information (PII) from driver records (which includes information listed on driver's licenses) and vehicle records (including name, address, and vehicles owned) to those who meet exemption criteria as specified in the DPPA. The SCDMV is prohibited from providing to any private party driver's license photographs, social security numbers, signatures, height, weight, race, and medical and/or disability information. (SC Code §§ 30-4-160 and 30-4-165.) The SCDMV is also prohibited from releasing to a private party any part of the record of a person under fifteen years of age who has applied for or been issued an identification card.

### **Why would these companies want my information?**

Companies generally request information regarding vehicle titles or vehicle registration; information regarding accidents, traffic violations, or suspension of driving privileges; as well as information on newly licensed drivers.

Examples of how companies use this information include:

- Insurance companies use driving records during underwriting to assess risk and determine premium rates for customer policies. Without this information, all drivers in S.C. would likely pay the equivalent rates for insurance which would adversely affect safe drivers.
- Insurance companies use accident reports, traffic violation reports, and suspension of driving privilege reports to adjust customer policy premiums. Without this information, all drivers in S.C. would likely pay equivalent rates for insurance which would adversely affect safe drivers.
- Private towing companies use vehicle title and registration information to notify owners or lien holders of towed or abandoned vehicles.
- Auto part supply companies use information such as year, make and model of vehicles registered in the state to forecast repair part inventories in South Carolina stores.
- Insurance companies use newly-licensed driver information to make adjustments to customer policies. Automobile manufacturers and consumer protection agencies use vehicle information to notify consumers of safety recalls.

### **Can these companies use my information to approach me about products or services?**

No company can use the information obtained from SCDMV for the purposes of marketing/solicitation. See S.C. Code §30-2-50(A).

## **What security precautions does SCDMV take with these companies?**

Companies requesting data from SCDMV enter into contractual agreements with the Department regarding the use and security of the data they obtain. These SCDMV contracts include security controls to promote information security. SCDMV information security requirements are based on security best practices and the National Institute of Standards and Technology. Mandated security awareness training by companies must include the proper handling of PII. SCDMV also includes clauses in contracts that allow the Department to audit companies who receive information, to publicly disclose any misuse of information by companies, and to immediately terminate any contract if the Department believes the information is or has been improperly used or accessed. If SCDMV identifies a customer misusing SCDMV information, access is suspended pending an investigation by the agency and, if fraudulent activity is suspected, the case is immediately referred to the South Carolina Law Enforcement Division (SLED) for investigation.

## **Types of Information the SCDMV Discloses**

The SCDMV facilitates access to information for approved service providers in order to improve driver services, insurance rates, and vehicle safety for South Carolina citizens. Information provided is grouped as follows:

### **Vehicle Registration Information:**

**Type of Data:** Owner Name and Address, Vehicle Identification Number (VIN), make, model, year

**Purpose:** This information is provided to service providers for notification of recalls or other safety concerns related to specific vehicles. This information allows vehicle manufacturers to know who currently owns a specific vehicle make, model, type, and equipment package. Companies need this information to get timely recall and safety information to current vehicle owners.

**Example of Service Providers:** Safety First Recalls

**Example of companies using this information include:** Ford Motor Company

### **Violations, Suspensions:**

**Type of Data:** Driver's License Number

**Purpose:** This information is provided to service providers for awareness of traffic violations and collisions to aid with risk evaluation. It allows companies to charge appropriate rates to their customers individually rather than increase overall rates due to problem drivers. In addition, this information is provided to businesses to monitor the safety and legality of their drivers and use of company vehicles.

**Example of Service Providers:** Explore Information Services

**Example of companies using this information include:** GEICO

### **Newly Licensed Drivers:**

**Type of Data:** Driver's License Number, Name, Address, Date of Birth

**Purpose:** This information is provided to insurance companies to ensure that new drivers are appropriately insured.

**Example of Service Providers:** Southern Farm Bureau Casualty Insurance Company

**Companies using this information include:** Liberty Mutual

**Address Changes:**

**Type of Data:** Driver's License Number, Name, Address

**Purpose:** This information is provided to insurance companies to ensure drivers are accurately rated based on their locations. People who live near work or school tend to have less accident loss because they do not typically drive as far as others who live further from work or school. This information allows drivers to take advantage of rate reductions they might get from driving shorter distances.

**Example of Service Providers:** LexisNexis Risk Solutions, Inc.

**Companies using this information include:** Progressive

**Motor Vehicle Driving Records:**

**Type of Data:** Driver's License Number, Name, Address, Date of Birth, Driving Record

**Purpose:** Certain parties are authorized to obtain motor vehicle records in conjunction with employment, insurance rating, and driving schools. People who have clean driving records typically get better insurance rates than those with a record of traffic tickets, suspensions, or multiple collisions. Additionally, companies routinely seek to verify the driving records of their employees.

**Company:** South Carolina Interactive (SCI) is a subsidiary of NIC which is a national eGovernment supplier, and the SC State government ePortal provider and manager. SCI provides the ability for customers to request SCDMV information without requiring individual contracts with SCDMV and as a free service to SC State Agencies. SCI customers query SCDMV records via the SCI service.

**Vehicle and Plate Inquiries through Member Services:**

**Type of Data:** Owner name and address, Vehicle Identification Number, Title Number, Vehicle Make Model Year, Registration Number

**Service:** Members Services is a SCDMV on-line service managed as a subscription to authorized entities such as law enforcement, other government entities, and certain third party service providers. Third party service providers in turn subscribe with end users to obtain current title information of vehicles or current plate information.

**Example Company:** South Carolina Interactive (SCI)

**Purpose:** The provider must have vehicle information to request the service (e.g., VIN, license plate number, or title number). Creditors need information about title ownership and lien status to make credit decisions.