



The New York State Department of Motor Vehicles (DMV) is authorized to disclose personal information from a search of DMV records when the personal information will be used for a "permissible use", defined in the federal Driver's Privacy Protection Act ("DPPA") (18 U.S.C. §2721. et seq.) You must review, and be familiar with, the DPPA to complete the application process and to conduct searches of DMV records. Form MV-15DPPA contains more information about the DPPA and can be found on our website at http://dmv.ny.gov/forms/mv15dppa.pdf.

Each electronic search of DMV records costs \$7. Searches conducted by a government agency are exempt from this fee.

Applicants are required to provide the information requested below and to execute the Terms of Service Agreement. Both the completed application and the Terms of Service Agreement can be scanned/emailed to: DataServices@dmv.ny.gov, faxed to Data Services at 518-474-0718 or mailed to:

DATA SERVICES
NYS DEPARTMENT OF MOTOR VEHICLES
6 EMPIRE STATE PLAZA
ALBANY NY 12228

Please mark one of the following boxes to indicate which service you are requesting:

- Open new debit account or acquire a new search logon
Update information for an existing debit account. ACCOUNT #: _____

APPLICANT INFORMATION
(Please Print or Type)

Applicant: _____

Applicant's Driver License Number: _____ State that Issued License: _____

Applicant's Business Email Address: _____

Business Name: _____

Business Address: _____
(DO NOT GIVE ONLY A P.O. BOX)

City: _____ State: _____ Zip Code: _____

Telephone: _____ - _____ - _____ Ext. _____

Agency/Business Director Name: _____

Agency/Business Director Title: _____

Agency/Business Director Email Address: _____

Federal Employer ID Number: []-[]

If a Motor Vehicle Debit Account was previously held by you, your organization, or any principal, agent, officer or employee associated with your organization, please provide the account number(s):

Applicant:

Driver's Privacy Protection Act (DPPA)

The Federal Driver's Privacy Protection Act (18 U.S.C. §2721.et seq.) ("DPPA") regulates access to Motor Vehicles records. Recipient hereby certifies that the information provided hereunder by DMV shall be used solely for the following purpose(s).

(Applicant must check all that apply.)

1. ___ Use in any civil, criminal, administrative, or arbitral proceeding in any court or agency, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders or pursuant to a court order. (18 U.S.C. §2721 (b)(4))
2. ___ Use by an insurer or insurance support organization or self-insured entity in claims investigations, anti-fraud activities, rating or underwriting activities. (18 U.S.C. §2721 (b)(6))
3. ___ Use in providing notice to the owners of towed or impounded vehicles. (18 U.S.C. §2721 (b)(7))
4. ___ Use by an employer, its agent or insurer to obtain information relating to the holder of a commercial driver's license required under Chapter 313 of Title 49 of the U.S.C. (18 U.S.C. §2721 (b)(9))
5. ___ 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; (18 U.S.C. §2721 (b)(3)(A)) 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. (18 U.S.C. §2721 (b)(3)(B))
6. ___ Use required under NYS Vehicle and Traffic Law, Article 19A - Special Requirements for Bus Drivers. (18 U.S.C. §2721 (b)(14))
7. ___ Use required under NYS Vehicle and Traffic Law, Article 19B - Special Requirements for Commercial Motor Carriers. (18 U.S.C. §2721 (b)(14))
8. ___ Use by any government agency, including any court or law enforcement agency, in carrying out its functions. (18 U.S.C. §2721 (b)(1))
9. ___ Use by any private person or entity acting on behalf of a federal, state, or local agency in carrying out its functions. (18 U.S.C. §2721 (b)(1))
10. ___ Use in matters of motor vehicle or driver safety. (18 U.S.C. §2721 (b)(2))
11. ___ Use in matters of motor vehicle theft. (18 U.S.C. §2721 (b)(2))
12. ___ Use in matters of motor vehicle emissions. (18 U.S.C. §2721 (b)(2))
13. ___ Use in matters of motor vehicle product alterations, recalls or advisories. (18 U.S.C. §2721 (b)(2))
14. ___ Use in performance monitoring of motor vehicles, motor vehicle parts and dealers. (18 U.S.C. §2721 (b)(2))
15. ___ Use in motor vehicle market research activities, including survey research. (18 U.S.C. §2721 (b)(2))
16. ___ Use in removal of non-owner records from the original owner records of motor vehicle manufacturers. (18 U.S.C. §2721 (b)(2))
17. ___ Use in the operation of private toll transportation facilities. (18 U.S.C. §2721 (b)(10))
18. ___ For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains. (May use form MV-15GC). (18 U.S.C. §2721 (b)(13))
19. ___ Use specifically authorized under NYS law, IF such use is related to the operation of a motor vehicle or public safety.
Cite the specific NYS law here: _____ (18 U.S.C. §2721 (b)(14))
20. ___ Use in research activities and in producing statistical reports, **as long as the personal information is not published, disclosed or used to contact individuals.** (18 U.S.C. §2721 (b)(5))

Making a false representation to obtain any personal information from DMV records subjects you to federal criminal fines under the DPPA.

Applicant:

Commercial and Not-For-Profit Applicants

Individuals employed by, or working on behalf of, a commercial entity or not-for-profit organization:

- Must pay a \$7 per search fee.
- Must establish a debit account funded by an opening deposit of not less than \$100. Make your check or money order payable to “Commissioner of Motor Vehicles” and attach it to this application.
- Must execute the Terms of Service Agreement and return it to DMV along with this application.

Signature of Applicant: **X** _____

Date: _____

Government Applicants

Individuals employed by, or working on behalf of, a government organization; volunteer fire company; volunteer ambulance service; or legal aid bureau or society or other private entity when acting pursuant to Section 722 of the New York State County Law, are “government” applicants. Government applicants:

- Are exempt from paying the \$7 per search fee.
- Must complete the Fee Exemption Certification (below) to claim the exemption from search fees under Section 202 of the New York State Vehicle and Traffic Law.
- Must provide evidence of your government employment or your affiliation with the exempt organization, such as a pay stub or an official letter from the organization.
- Must execute the Terms of Service Agreement and return it to DMV along with this application.

FEE EXEMPTION CERTIFICATION FOR GOVERNMENT ORGANIZATIONS, VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE SERVICES, AND ENTITIES ACTING PURSUANT TO SECTION 722 OF THE NEW YORK STATE COUNTY LAW

Section 202 of the New York State Vehicle and Traffic Law exempts government organizations, volunteer fire companies, and volunteer ambulance services from fees for searches to be used for a public purpose, and also exempts legal aid bureaus and societies and other private entities from such fees when acting pursuant to Section 722 of the New York State County Law. I certify that my organization qualifies for this exemption, and that I will use my search logon only for qualified fee-exempt purposes.

FOR NY STATE & COUNTY BOARD OF ELECTION OFFICES ONLY:

Indicate below what records you are requesting access to (select only one box).

- Motor Vehicle Records Motor Voter Database BOTH Motor Vehicle Records & Motor Voter Database

Signature of Applicant: **X** _____

Date: _____

I understand that making a false statement, or submitting any documentation that is false, may be punishable as a criminal offense.

**MOTOR VEHICLE RECORD SEARCH LOGON
TERMS OF SERVICE AGREEMENT**

The federal Driver's Privacy Protection Act (DPPA) (<http://dmv.ny.gov/forms/mv15dppa.pdf>) prohibits the New York State Department of Motor Vehicles (DMV) from disclosing or otherwise making available to any person or entity any "personal information" as defined within DPPA unless the authorized user possesses a "permissible use" for the personal information. Authorized Users of a Motor Vehicle Record Search Logon are subject to the terms and conditions outlined below:

1. The Applicant agrees to review, and be familiar with, the DPPA.
2. The Applicant must possess the "permissible use" selected on the application for each search of DMV records using the Motor Vehicle Record Search Logon to obtain personal information.
3. The Applicant understands that knowingly making a false representation to obtain any personal information from DMV records is subject to criminal fines and that knowingly obtaining, disclosing or using personal information, from a DMV record, for a purpose not permitted under the DPPA shall be liable to the individual to whom the information pertains, who may bring a civil action in a United States district court.
4. The Applicant agrees to only obtain personal information from DMV records when, for each search, the Authorized User possesses a DPPA "permissible use".
5. The Applicant agrees to use the Motor Vehicle Record Search Logon in full compliance with the DPPA.
6. The Applicant will be responsible for ensuring that:
 - the Motor Vehicle Record Search Logon is used only for searches permitted by the DPPA and as authorized by this Agreement;
 - DMV has accurate and up-to-date contact information;
 - DMV has accurate and up-to-date employment information for the Applicant, including contact information for the Applicant's agency/business Director; and,
 - The Applicant must notify DMV, within 30 days, of any change in contact/employment information.
7. The Applicant's organization must maintain business records that establish a permissible use for each search.
 - The business records must be maintained for five years after the date of the search;
 - The business records must be made available to DMV upon receipt of a Verification Request letter; and
 - At DMV's direction, the business records must be forwarded to DMV or made available for inspection by DMV within 30 days of any request.
8. The Applicant understands that a business record is a document that records an event, business dealing or transaction associated to each use of the Motor Vehicle Record Search. The business record you provide must pre-date receipt of a Verification Request letter, and it should identify the SEARCH CRITERIA used in your search. DMV recommends a log be maintained of each search performed with a notation of what was searched (i.e. plate number, DMV client ID number, vehicle identification number) the date of the search, and your business identifier (i.e. index number, case number, client number, etc.) that can direct you to the associated business record.

Common examples of business records include:

Court Orders	Lien and Judgment Filings	Crash/Incident Reports	Emergency or Help Calls
Case Files	Traffic/Criminal/Civil	Summonses	Invoices /Receipts
Payroll Advices	Service Applications	Employment Applications	

MOTOR VEHICLE RECORD SEARCH LOGON TERMS OF SERVICE AGREEMENT (continued)

9. The Applicant understands that failure to provide a business record establishing a permissible use for any search, may result in the imposition of sanctions by DMV, including a suspension of access rights, or termination of the Motor Vehicle Record Search Logon.
10. The Applicant acknowledges that DMV has the right to demand production of a business record establishing the permissible use underlying each search of DMV records and to perform all necessary audit steps to ensure the Motor Vehicle Record Search Logon is used only as authorized by this agreement.
11. The Applicant understands that termination of their Motor Vehicle Record Search Logon for inappropriate use may prohibit reinstatement of said logon.
12. The Applicant agrees that if personal information obtained from a Motor Vehicle Record is to be disclosed to another person or entity, the Applicant's organization must keep a record identifying each person or entity to whom the information will be disclosed and the permissible use for which the information will be used. The Applicant must keep the record for five years after the date when the information was disclosed. The Applicant will make the record available to DMV upon demand.
13. The Applicant must not permit any other individual to use his/her assigned Motor Vehicle Record Search Logon to obtain personal information from DMV records, nor should the Applicant share his/her assigned Motor Vehicle Record Search Logon with any other individual.
14. The Applicant agrees to not represent oneself as an agent or employee of the DMV.
15. The Applicant understands that if the Logon has not been used during any consecutive eighteen (18) month period, it will be terminated.
16. The Applicant agrees to comply with the provisions of the New York State Information Security Breach and Notification Act (as set forth in General Business Law Section 899-aa, and State Technology Law Section 208) ("ISBNA"). Authorized Users shall be liable for the costs associated with any breach of the ISBNA caused by the Authorized User's negligent or willful acts or omissions, or the negligent or willful acts or omissions of Authorized User's agents, officers, employees or subcontractors.
 - (A) Under the ISBNA, DMV is required to notify any individuals whose records have been accessed from a system maintained by DMV for unauthorized purposes.
 - (B) The Authorized User must report suspected or confirmed violations of the DPPA or ISBNA to DMV's Risk Management Office via email at: nysdmvRiskManagement@dmv.ny.gov
 - (C) In the event that information is accessed from a system maintained by the Authorized User of personal information provided hereunder, then the Authorized User is required to report violations of ISBNA, as provided in the Reporting Form available on the CSCIC website at: <https://its.ny.gov/eiso/breach-notification>.
 - (D) Authorized Users must also report such violations, within one business day, to DMV's Risk Management Office, and must fully cooperate with DMV in the investigation of any violation, including delaying notification to the individual to whom such information pertains if such notification would compromise a criminal investigation.
 - (E) The Authorized User will defend, indemnify and hold harmless the DMV and its employees or agents from all claims, actions, damages, or losses, including the cost of any notifications required under the ISBNA, arising from negligent, improper, or unauthorized use or dissemination of information contained in DMV records.
17. DMV shall not be liable to the Applicant or Applicant's organization for any damages including, but not limited to, direct, indirect, consequential, incidental or special damages, lost savings, loss of goodwill or otherwise, or for exemplary damages in connection with the information DMV provides to the Authorized User.

Applicant:

MOTOR VEHICLE RECORD SEARCH LOGON TERMS OF SERVICE AGREEMENT (continued)

- 18. DMV hereby disclaims all warranties concerning the performance of Motor Vehicle Record Search services, including, but not limited to, its availability, capacity, or response. DMV hereby disclaims liability for any omissions or errors in the data furnished to the Applicant or Applicant's organization.
- 19. The DMV reserves the right to terminate access to the Motor Vehicle Records at any time, in its sole discretion, and without advance notice. Reasons for termination include but are not limited to: false statements made by the Applicant; concealment of material facts in connection with the account application; conducting searches absent a permissible use; and violation of any of the terms of service set forth within this Agreement.
- 20. This agreement is not transferable.

CERTIFICATION

I certify that I have read, understand and agree to all of the above conditions.

I certify that if I receive or have access to records or information from the DMV, I shall not (i) use such records or information for civil immigration purposes or (ii) disclose such records or information to any agency that primarily enforces immigration law, such as U.S. immigration and customs enforcement and U.S. customs and border protection, or to any employee or agent of any such agency unless such disclosure is pursuant to a cooperative arrangement between city, state and federal agencies which does not enforce immigration law and which disclosure is limited to the specific records or information being sought pursuant to such arrangement. I certify that, in addition to the requirements of 18 USC 2721(c), I shall keep for a period of five years records of all uses and identifying each person or entity that primarily enforces immigration law that received department records or information from such certifying person or entity. I shall maintain the records in a manner and form prescribed by the commissioner, and I shall make them available for inspection upon the commissioner's request.

Signature of Applicant: **X** _____

Date: _____

