



Texas Department of Transportation

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN, TEXAS 78779-0001 • (512) 465-7611

March 31, 2000

Registration and Title Bulletin # 26-00

TO: All County Tax Assessor-Collectors

SUBJECT: Access to Motor Vehicle Record Information Forms and Amendments to the federal Driver's Privacy Protection Act.

PURPOSE

To distribute two informational forms relating to the departments' release of personal information from motor vehicle records and to advise of recent amendments to the federal Driver's Privacy Protection Act.

DETAILS

New Forms

Attached are two new informational forms that have been developed for distribution when information is requested regarding the department's release of personal information from motor vehicle records. The forms include how personal information may be obtained, the restrictions on the use of the information, and to whom the information is released. The forms are:

- Form VTR-92, Access to Your Motor Vehicle Record in Texas, that addresses the release of an individual motor vehicle record; and
- Form VTR-93, Commercial Motor Vehicle Record Access in Texas, that addresses the services provided by the department to entities requesting bulk motor vehicle records.

Amendments to the federal Driver's Privacy Protection Act (DPPA)

In October 1999, the U.S. Congress enacted amendments to the federal DPPA, as part of the U.S. Department of Transportation FY 2000 Appropriations Bill (Section 350 of H.R. 2084). Texas must be in compliance with the enacted amendments by approximately April 2001.

Very briefly, the amendments further restrict the release of personal information from motor vehicle records. The amendments eliminate the "opt-out" portion of the current DPPA that allows an individual to restrict the release of their personal information in response to individual record requests or request to records for bulk distribution of surveys, marketing, or solicitation. Under the new law, all motor vehicle records will be essentially "opted-out," and may only be released for certain required or permitted uses, or with the express written consent of the person to whom the information pertains.

At this time, VTR is in the process of developing an implementation strategy for these amendments. We will advise your offices of the details as they become available.

VTR CONTACTS

If you have any suggestions or comments concerning the new forms, or any questions, please contact your local TxDOT Vehicle Titles and Registration Division Regional Office. Thank you.

Sincerely,

Jerry L. Dike, Director
Vehicle Titles and
Registration Division

Attachments

cc: Office of General Counsel
Public Information Office
Transportation Commission

ACCESS TO YOUR MOTOR VEHICLE RECORD IN TEXAS

WHAT MOTOR VEHICLE RECORDS ARE MAINTAINED

The Texas Department of Transportation (TxDOT), Vehicle Titles and Registration Division (VTR) maintains a computer record of all motor vehicle title and registration information. These records contain the vehicle information, the previous owner, current owner, and any lienholder names and addresses, and the owners' social security numbers. TxDOT also microfilms all documents submitted each time an application for a new title is received.

RELEASE OF MOTOR VEHICLE RECORD INFORMATION

State and federal laws allow all information in the motor vehicle record, with the exception of social security numbers, to be released unless a person who is shown on the record notifies TxDOT that they do not want their personal information (name and address) from that particular record released ("Opt-Out"). If a person "Opts-Out," an opt-out notation will be placed on their vehicle record indicating that the personal information in that record should not be released, unless it is requested for one of the required or permitted uses authorized by law. Although state law requires a vehicle owner to provide their social security number when they apply for a vehicle title, social security numbers are confidential and are not released as part of the record to the public.

REQUESTS FOR YOUR INDIVIDUAL MOTOR VEHICLE RECORD

INFORMATION FROM YOUR MOTOR VEHICLE COMPUTER RECORD MAY BE OBTAINED:

BY TELEPHONE – You or another person may:

- Call the TxDOT/VTR Customer Help Desk at (512) 465-7611 to request verbal information from a computer record.
- The vehicle identification number of the vehicle will be required for the Help Desk staff to look up the record. Vehicle records can not be looked up by a person's name. State law prohibits providing any information by telephone using a license plate number.
- All information in a motor vehicle record can be released, with the exception of social security numbers, unless the record shows an opt-out notation. If a person has opted-out, the Help Desk staff will not be able to provide any names or addresses (except the zip code) from that record. To obtain this information, a printout of the computer record will have to be requested in writing (see below).

IN WRITING:

- A Request for Texas Vehicle Information, Form VTR-275, will have to be completed indicating that "Title and Registration Verification" is wanted.
- These forms are available at a TxDOT/VTR Regional Office (located in 17 major cities statewide, See "Addresses" on reverse side); on the Internet at the TxDOT website under "Vehicles" (www.dot.state.tx.us); or by fax using the "Fax on Demand" system (call 1-888-232-7033 and follow the directions provided).
- A printout of the computer record can be released to anyone, unless the record shows an opt-out notation. If the record shows an opt-out notation, the printout can only be provided if the person requesting the record is shown on that record (the previous owner, owner, or lienholder), they have written permission from a person on that record to obtain the printout, or they mark that the record is needed for one of the permitted uses listed on the back of the form.
- There is a \$2.30 fee for this service (\$3.30 if it is to be certified. See below.)
- The form and fee can either be mailed to the department or taken in person to a TxDOT/VTR Regional Office. (See "Addresses" on reverse side)
- TxDOT will provide a printout of the computer record.

INFORMATION FROM MICROFILM MAY BE OBTAINED IN WRITING:

- By completing a Request for Texas Vehicle Information, Form VTR-275, and indicating that you want a "Title History."
- There is a \$5.75 fee for this service (\$6.75 if you want it certified. See below.)
- The form and fee must be mailed to the department or taken in person to a TxDOT/VTR Regional Office. (See "Addresses" on reverse side)
- Microfilm records will be provided only if you certify on the form that the information will be used for one of the Permitted Uses listed on the back of the form.
- TxDOT will provide you with copies of all the documents from microfilm.

CERTIFICATION OF A MOTOR VEHICLE RECORD

- TxDOT can certify that the printout or microfilm provided is a true and correct copy from our records, usually for legal uses.
- There is a \$1.00 fee for this service, in addition to the fee for the printout or title history.
- When the Form VTR-275 is completed, you must indicate that you want either a "Certified Title and Registration" for a certified printout or "Certified Title History" for microfilm records.

ADDRESSES

MAIL TO THE DEPARTMENT AT :

Vehicle Titles and Registration Division
Texas Department of Transportation
Austin, TX, 78779-0001

TXDOT/VTR REGIONAL OFFICES (IN PERSON):

ABILENE - 4250 N. Clack, Abilene, Texas 79601-1141	(915) 734-5120
AMARILLO - 7114 I-40 West, Building D, Amarillo, Texas 79106-2503.....	(806) 358-0469
AUSTIN - 105 West Riverside Drive, Suite 115, Austin, Texas 78704	512) 465-7445
BEAUMONT - 4245 Cardinal Drive, Beaumont, Texas 77705-4407.....	(409) 842-5875
CORPUS CHRISTI – 1231 Agnes Street, Corpus Christi, Texas 78401	(361) 882-8867
DALLAS - 1925 E. Beltline Road, Suite 100, Carrollton, Texas 75006.....	(972) 417-0884
EL PASO - 3160 Lee Trevino, Suite B-104, El Paso, Texas 79936	(915) 591-8149
FORT WORTH - 910 North Watson Road, Arlington, Texas 76011-5260	(817) 649-5938
HOUSTON - 10000 Northwest Freeway, Suite 105, Houston, Texas 77092.....	(713) 681-6637
LONGVIEW - 1301 Karnes Road, Longview, Texas 75604.....	(903) 753-6279
LUBBOCK - 135 Slaton Road, Lubbock, Texas 79404	(806) 745-8888
MIDLAND-ODESSA – 840 Central, Odessa, Texas 79761-4202	(915) 337-4434
PHARR - 1404 S. Cage, Pharr, Texas 78577-6216	(956) 781-3291
SAN ANGELO - 4502 Knickerbocker Road, San Angelo, Texas 76904	(915) 947-9330
SAN ANTONIO - 4611 N. W. Loop 410, San Antonio, Texas 78229-5126	(210) 615-1776
WACO - 2203 Austin Avenue, Waco, Texas 76701-1624.....	(254) 752-1152
WICHITA FALLS – 1601-A Southwest Parkway, Wichita Falls, Texas 76302-4906.....	(940) 720-7754

REFERENCE: LAWS REGULATING THE RELEASE OF INFORMATION

Federal - Title 18, United States Code, Section 2721 (Driver's Privacy Protection Act)

State - Texas Transportation Code, Section 502.008 (Release of Information in Vehicle Registration Records)
Texas Transportation Code, Chapter 730 (Motor Vehicle Records Disclosure Act)

COMMERCIAL MOTOR VEHICLE RECORD ACCESS IN TEXAS

The Texas Department of Transportation (TxDOT), Vehicle Titles and Registration Division (VTR) maintains records of all motor vehicles titled and registered in the State of Texas. The records include specific vehicle information, registration and title status, the names and addresses of the previous and current owners, and lienholders, if any, and social security numbers of vehicle owners.

RELEASE OF MOTOR VEHICLE RECORD INFORMATION

TxDOT is committed to the protection of personal privacy and the responsible release and use of personal information from its records. State and federal laws stipulate the information that may be released, to whom, and under what circumstances. These laws restrict the release of personal information, such as names, addresses (but not zip codes), and social security numbers, from motor vehicle records if a person shown in that record has notified TxDOT that they do not want their personal information from that record released in response to a request for an individual record (Opt-Out Individual) or for bulk distribution of surveys, marketing, or solicitations (Opt-Out Commercial). These laws also provide various required and permitted uses under which TxDOT may release motor vehicle record information (See Page 4 for listing of required and permitted uses). Social security numbers are confidential and are not released to the public as part of the record. Strict compliance with the provisions of the law is required of **all** purchasers of motor vehicle record information and any person or entity who obtains motor vehicle record information from the Purchaser. TxDOT will immediately terminate a purchaser's contract for any violation of the law or terms of the agreement. This applies to violations by either the Purchaser or a third party who obtains motor vehicle record information from the Purchaser.

TYPES OF COMMERCIAL ACCESS TO MOTOR VEHICLE RECORDS

TxDOT provides access to motor vehicle record information with restrictions. To obtain access to motor vehicle records one will be required to enter into an agreement with TxDOT by submitting a properly executed contract that specifies the terms under which the information may be obtained and restrictions on the use of the information provided. Several types of commercial access to motor vehicle records or products are provided. The purchaser of any of these products must agree to comply with all provisions of the federal Driver's Privacy Protection Act and the Texas Motor Vehicle Records Disclosure Act prior to receipt of any motor vehicle record information. The type of account, product description, contract/account requirements, fees, information provided, and restrictions for each product are shown below.

DIAL-UP ACCESS ACCOUNT

Note: New accounts are not being established. TxDOT is maintaining existing accounts only.

Product Description:

Direct "dial-up" or modem access to all TxDOT motor vehicle records. Individual records can be accessed by license plate number or vehicle identification number (VIN).

- Fees, information provided, and restrictions are the same as Internet Access Account (shown below).

Contract/Account Requirements:

- A Motor Vehicle Inquiry (MVI) Service Contract is required to establish a Dial-Up account with the department.

INTERNET ACCESS ACCOUNT

Product Description:

Remote electronic access, through the Internet via a secure website, to all TxDOT motor vehicle records. Individual records can be accessed by license plate number, vehicle identification number (VIN), windshield validation sticker number, or title/document number.

Contract/Account Requirements:

- A Motor Vehicle Inquiry (MVI) Service Contract is required to establish an MVI account with the department for access and multiple User IDs, if applicable. Each user must be assigned a unique User ID that may be used only by that person.

Fees:

- \$200 Escrow Deposit to be maintained in a non-interest bearing escrow account. Initial deposit is required to be paid at the time a contract is submitted to cover the estimated service use.
- Monthly charge of \$23 per month and \$.12 per record accessed. These charges will be deducted from the escrow account, or may be prepaid and credited to the escrow account at the request of the purchaser.
- Billed monthly.

Information Provided:

- All motor vehicle records are accessible. However, records will indicate if a person has requested their personal information be privacy protected. (Opt-Out notation will be shown on the record to indicate that the use of that personal information by the purchaser is restricted.)

Restrictions:

★ See “Restrictions That Apply to All Products” on page 3.

- Access will be granted only to purchasers who certify their intended use of the information is one of the permitted uses defined by law. Due to state law, purchasers may not provide information to anyone in response to a telephone inquiry by license plate number.

PURCHASE OF THE MOTOR VEHICLE RECORD DATABASE OR WEEKLY UPDATES TO THE DATABASE

Product Description:

Motor vehicle record database on magnetic tape. (Approximately 24 million active records)

Weekly Updates include all transactions or changes to motor vehicle records that have occurred during the preceding week, such as a title transfer, registration renewal, address change, etc.

Contract/Account Requirements:

- A Service Contract for Purchase of the Texas Motor Vehicle Title and Registration Database is required to establish an account with the department.

Fees:

Database

- \$5,000 plus \$.38 per 1,000 records
- \$5,000 must be submitted with a properly executed contract prior to production of the database copy.
- Once the copy is produced, TxDOT will notify the purchaser of the balance due based on the number of records copied. Upon receipt of the balance due, TxDOT will release the database copy to the purchaser.

Weekly Updates

- \$135 per week
- Payment for one month of weekly updates must be submitted with a properly executed contract. A Billing Account will then be established under the contract and the purchaser will be billed monthly, one month in advance, for the weekly updates to be provided during the upcoming month.

Information Provided:

- The information provided is based on the purchaser’s intended use of the information as certified in the executed contract. If the intended use of the information is:
 - a) A Permitted Use defined by law, except for distribution of surveys, marketing, or solicitations, the purchaser will receive all motor vehicle record information, including personal information. Records will indicate if a person has requested their personal information be privacy protected (an “Opt-Out” notation code will be indicated in the record). Use of this privacy protected personal information is restricted.
 - b) For the sole purpose of distributing surveys, marketing, or solicitations, the purchaser will receive all motor vehicle records, but will not receive any privacy protected personal information contained in records that indicate an “Opt-Out-Commercial” notation. This notation advises that a person on that record has notified the department that they do not want their personal information released for this purpose. Only NON-personal information from these records will be provided.

Restrictions:

★ See “Restrictions That Apply to All Products” on page 3.

BATCH INQUIRY ACCOUNT

Product Description:

The purchaser may request specific motor vehicle records by providing the license plate or vehicle identification numbers for the requested records. TxDOT will provide the purchaser only the applicable matching records on magnetic tape.

Contract/Account Requirements:

2 types of accounts:

- 1) Prepaid. Purchaser must establish an account with the department by executing a Service Agreement for Purchase of Texas Motor Vehicle Title and Registration Information; or
- 2) Pay with each request. Purchaser must submit a properly executed Request for Texas Vehicle Information, Form VTR-275, each time a request for motor vehicle records is submitted.

Fees:

- \$23 per computer run plus \$0.12 per inquiry
- Prepaid account requires a minimum \$1,000. Escrow Deposit. Usage charges are deducted from the account. Purchaser must maintain at least a \$1,000 balance. A statement of the balance will be provided to the purchaser each time requested motor vehicle records are returned to the purchaser.
- Pay with each request. Appropriate payment must be submitted with each request. For example, the required fee for 100 records would be \$35 (\$23 + \$12 for 100 records).

Information Provided:

The information provided is based on the purchasers intended use of the information as certified in the executed contract or on Form VTR-275. If the intended use of the information is:

- a) A Permitted Use defined by law, the purchaser will receive all motor vehicle record information from the records requested, including personal information. Records will indicate if a person has requested their personal information be privacy protected (an "Opt-Out" notation will be indicated in the record). Use of this privacy protected personal information is restricted.
- b) For the sole purpose of distributing surveys, marketing, or solicitations, the purchaser will receive all motor vehicle records, with the exception of those motor vehicle records that indicate an "Opt-Out" notation, either "Commercial" or "Individual." These notations advise that a person on that record has notified the department that they do not want their personal information released in response to a request for an individual record or for this purpose.
- c) Not a Permitted Use, the purchaser will receive all motor vehicle records requested, with the exception of those motor vehicle records that indicate an "Opt-Out-Individual" notation. This notation advises that a person on that record has notified the department that they do not want their personal information released in response to requests for individual records.

Restrictions:

★ See "Restrictions That Apply to All Products" below.

★ RESTRICTIONS THAT APPLY TO ALL PRODUCTS

- The purchaser may only use the information obtained for the use(s) certified to in their contract, or on Form VTR-275, if applicable.
- If a record indicates an "Opt-Out" notation, all personal information, such as names and addresses (but not zip codes) of the owners, previous owners, and lienholders, in that record is privacy protected. The personal information may only be released and/or used for certain permitted uses in accordance with the provisions of the federal Driver's Privacy Protection Act and the Texas Motor Vehicle Records Disclosure Act.
- Privacy protected personal information from records indicating an "Opt-Out-Commercial" notation may not be used to direct surveys, marketing, or solicitations at any person (owner, previous owner, or lienholder) shown in that record.
- TxDOT will immediately terminate a purchaser's contract for ANY violation of the law or terms of the agreement. This applies to violations by either the Purchaser or a person or entity who obtains motor vehicle record information from the Purchaser. TxDOT may also prohibit a purchaser from entering into future contracts for the purchase of motor vehicle records.
- ALL laws and restrictions apply to a third party obtaining motor vehicle record information from the purchaser.

**RESALE OR REDISCLOSURE OF MOTOR VEHICLE RECORD INFORMATION
(ALL PURCHASERS)**

A purchaser obtaining privacy protected motor vehicle record information may only resell or disclose the privacy protected information for a permitted use authorized by law and must maintain records of any entity or person that received the information and the permitted use for which it was obtained. These records must be maintained for a period of at least five (5) years and must be made available to the State for inspection, upon request.

A Purchaser obtaining motor vehicle record information for the purpose of bulk distribution of surveys, marketing, or solicitations may resell or disclose the information to another entity only for that purpose.

FURTHER INFORMATION:

For further information, you may contact the following offices:

- 1) The VTR Production Data Control Branch, at the telephone numbers listed below, to obtain a contract for review and execution for each account type:
 - Internet Access Account - Call (512) 465-7727, (512) 465-7950, or on-line at <https://prod1.dot.state.tx.us/>;
 - Database & Weekly Updates to the Database - Call (512) 467-5940, (512) 467-5983, or (512) 465-7950; or
 - Batch Inquiry Account - Call (512) 465-7531 or (512) 465-7950; OR
- 2) The VTR Customer Help Desk at (512) 465-7611 with any other questions, privacy concerns, or requests for information regarding the federal or state privacy laws.

REFERENCE: LAWS & ADMINISTRATIVE RULES REGULATING THE RELEASE OF INFORMATION

Federal - Title 18, United States Code, Section 2721 (Driver's Privacy Protection Act)

State - Texas Transportation Code, Section 502.008 (Release of Information in Vehicle Registration Records) and

Texas Transportation Code, Chapter 730 (Motor Vehicle Records Disclosure Act)

Title 43, Texas Administrative Code, Chapter 3

REQUIRED DISCLOSURE

The department is required to disclose all personal information, with the exception of social security numbers, in the department records for use in connection with any matter of:

- (1) motor vehicle or motor vehicle operator safety;
- (2) motor vehicle theft;
- (3) motor vehicle emissions;
- (4) motor vehicle product alterations, recalls, or advisories;
- (5) performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer; or
- (6) removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of:
 - (a) the Automobile Information Disclosure Act, 15 U.S.C. Section 1231 et seq.;
 - (b) 49 U.S.C. Chapters 301, 305, 323, 325, 327, 329, and 331;
 - (c) the Anti Car Theft Act of 1992, 18 U.S.C. Sections 553, 981, 982, 2119, 2312, 2313, and 2322, 19 U.S.C. Sections 1646b and 1646c, and 42 U.S.C. Section 3750a et seq., all as amended;
 - (d) the Clean Air Act, 42 U.S.C. Section 7401 et seq., as amended; and
 - (e) any other statute or regulation enacted or adopted under or in relation to a law included in Paragraphs (a)-(d).

PERMITTED USES

The department may release all information contained in the department records, even if the subject of the information has opted-out, if the person requesting the information certifies that the intended use of the information is for one of the following permitted uses.

1. Use will be strictly limited to use by:
 - (a) a government agency, including any court or law enforcement agency, in carrying out its functions; or
 - (b) a private person or entity acting on behalf of a government agency in carrying out the functions of the agency.
2. Use in connection with a matter of:
 - (a) motor vehicle or motor vehicle operator safety;
 - (b) motor vehicle theft;
 - (c) motor vehicle product alterations, recalls, or advisories;
 - (d) performance monitoring of motor vehicles, motor vehicle parts, or motor vehicle dealers;
 - (e) motor vehicle market research activities, including survey research; or
 - (f) removal of nonowner records from the original owner records of motor vehicle manufacturers;
3. Use in the normal course of business by a legitimate business or an agent, employee, or contractor of the business, but only:
 - (a) to verify the accuracy of personal information submitted by the individual to the business or an agent, employee, or contractor of the business; and
 - (b) if the information as submitted is not correct or is no longer correct, to obtain the correct information, for the sole purpose of preventing fraud by, pursuing a legal remedy against, or recovering on a debt or security interest against the individual;
4. Use in conjunction with a civil, criminal, administrative, or arbitral proceeding in any court or government agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgment or order, or under an order of any court;
5. Use in research or in producing statistical reports, but only if the personal information is not published, redisclosed, or used to contact any individual;
6. Use by an insurer or insurance support organization, or by a self-insured entity, or an agent, employee, or contractor of the entity, in connection with claims investigation activities, antifraud activities, rating, or underwriting;
7. Use in providing notice to an owner of a towed or impounded vehicle;
8. Use by a licensed private investigator agency or licensed security service for a purpose permitted under this section;
9. Use by an employer or an agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. Chapter 313;
10. Use in connection with the operation of a private toll transportation facility;
11. Use for bulk distribution for surveys, marketing, or solicitations AND the information will be used, rented, or sold solely for bulk distribution for surveys, marketing, or solicitations, and the surveys, marketing, or solicitations will not be directed at any individual who has requested that the material not be directed at them (opted-out)
Note: If a person requests information solely for this permitted use and the department record indicates the subject has opted-out, the personal information (names and addresses, but not zip codes) contained in that record is removed prior to release.
12. Use for any other purpose specifically authorized by law that relates to the operation of a motor vehicle or to public safety.