



End User Agreement

Attachment D

1. An authorized agent or officer of the company ordering Motor Vehicle Reports (End User) must sign this agreement.
2. Make copies for your files, sign, and return a copy to SafeNet Corporation powered by FastraxSelect (Reseller).

ONE OF THE FOLLOWING MUST ACCOMPANY THIS AGREEMENT: A COPY OF YOUR BUSINESS LICENSE OR A COPY OF AN OFFICIAL FEDERAL DOCUMENT (i.e., 940, 941, SS-4, OR FEDERAL TAX RETURN) SHOWING YOUR FEDERAL TAX I.D. NUMBER. NOTE...THE W-9 FORM DOES NOT MEET STATE REQUIREMENTS.

Company Name _____ Phone _____
Address (Line 1) _____ Fax _____
Address (Line 2) _____ Email _____
City _____ State _____ Zip _____
Owner / Manager Name _____ Primary Contact _____

Reseller Company Name _____ SafeNet Corporation powered by FastraxSelect _____ Reseller Account Number _____ 980650

Reason for ordering reports: ☒ Employment purposes _____ Number of Employees _____

1. **Sole Use.** The Motor Vehicle Reports (MVR's) provided by SafeNet Corporation powered by FastraxSelect to the End User are for the sole use of the End User and may not be resold, sub-licensed, delivered or displayed in any way to or used by any third party. End User warrants and agrees that any requests made for MVR's are only to be used as a factor in establishing a consumer's eligibility for new or continued insurance and / or employment purposes unless otherwise restricted further by The Laws or Specific State Forms as defined below. If for insurance purposes, MVR's may be retained only as long as is necessary to conduct insurance business. Employers may retain MVR information in the employee's history file.
2. **Compliance with Laws.** End User certifies that it shall order, receive and otherwise use the MVR's in compliance with all applicable federal, state and local statutes, rules, codes and regulations. This includes, but is not limited to, the Fair Credit Reporting Act (FCRA) and its state equivalents, the Driver's Privacy Protection Act 18 U.S.C. §2721 et seq., (DPPA) and its state equivalents, the Gramm-Leach-Bliley Act (GLB) and its state equivalents and, including any changes, supplements or amendments to such statutes, all rules, codes and regulations as well as any case law interpreting such statutes, rules, codes and regulations (collectively referred to herein as The Laws). End User shall be responsible for understanding and for staying current with all of The Laws.
3. **Use of the Internet.** End User will not disseminate any MVR's over the Internet. Internet dissemination includes public e-mail, World Wide Web access, ftp and all other mechanisms where data is transmitted across the Internet.
4. **Specific State Forms.** End User shall be responsible for understanding and for staying current with all specific state forms, certificates of use or other documents or agreements including any changes, supplements or amendments thereto imposed by the states (collectively referred to as Specific State Forms) from which it will order MVR's. End User certifies that it has received, signed and returned to SafeNet Corporation powered by FastraxSelect all applicable Specific State Forms required by individual states. End User also agrees that, if additional states impose requirements for Specific State Forms, those forms shall be signed and returned to SafeNet Corporation powered by FastraxSelect. Currently, some states do not allow reselling of Motor Vehicle Reports so your access to MVR's from these states will be restricted. In the future, if additional states impose any laws, rules or regulations that restrict access, your access to information from these states will immediately be restricted.
5. **Publications.** End User agrees that all solicitations, advertising copy and other communications used in connection with MVR's, products and services shall be devoid of any reference to any selection criteria or presumed knowledge concerning the intended recipient of such solicitation or the source of the recipient's name and address.
6. **Archiving.** End User shall not use MVR data supplied by SafeNet Corporation powered by FastraxSelect to directly or indirectly compile, store, or maintain the MVR's to develop its own source or database of MVR's.
7. **Other Restrictions.** SafeNet Corporation powered by FastraxSelect may, from time to time, impose additional restrictions, procedures or processes upon the use and / or delivery of MVR's which it believes to be prudent to ensure compliance with The Laws, the Specific State Forms and / or the security, privacy or confidentiality of the MVR's. For any End User that orders Undisclosed Driver Information (UDI) or Undisclosed Driver & VIN (UDV) reports, End User further certifies that it has complied with the Gramm-Leach-Bliley Act (GLB).
8. **Interpretation.** In the event that End User and SafeNet Corporation powered by FastraxSelect disagree with the intent, effect, necessity to comply with or the interpretation and / or compliance requirement of any of The Laws or Specific State Forms, End User shall conform to SafeNet Corporation powered by FastraxSelect's interpretation.
9. **Confidentiality.** All records made available or that become available to End User as a result of this Agreement shall be held in strict confidence by End User, its employees, agents, contractors and subcontractors.
10. **Security.** End User shall, at all times, maintain safeguards and procedures to ensure the security and protection of data and documents furnished by the State and shall take all necessary steps to prevent divulgence or use of such information or documents in any form or manner not expressly permitted by this Agreement. Minimum security measures shall include controlling access to data storage and production areas, secure destruction of data and documents and other reasonable security measures determined to be necessary at the sole discretion of the applicable State.
11. **Assignment.** The End User shall not, at any time during the term of this contract and any extension(s), assign its rights or delegate its duties under this contract.
12. **Audits.** The End User acknowledges and agrees that SafeNet Corporation powered by FastraxSelect and / or the applicable State may audit the performance of the End User at any time. The End User agrees to cooperate fully with the Vendor and / or the State's auditors.

Signature _____ Date _____
Name (Printed) _____ Title _____



OHIO DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES

OBMV RECORD REQUEST

(R.C. 149.43, 4501.15, 4501.27, AND 4507.53)

PART A Please provide information regarding yourself:

This agency is requesting disclosure of information that is NECESSARY to accomplish the statutory purpose as outlined under R.C. 4501.27. Disclosure of this information is REQUIRED. **FAILURE** to provide any information will result in this form not being processed.

☐ **This request is being made by (check one):**

☐ **An individual inquiring regarding himself or herself:** (Complete **Part A**) If inquiring in person for information on yourself, you must provide personal information regarding yourself, or prove your identity by presenting your driver license or identification card.

☐ **An individual inquiring regarding another person:** (Complete **Parts A** and **B**) If inquiring regarding another individual, you must attach a notarized BMV Form 5008 giving the written consent of the person. All mail requests without the BMV Form 5008 attached will be returned to the requester.

☒ **Other:** (Check applicable reason for request on **Part C**, and complete **Parts A** and **B**)

☐ **I am requesting the following personal information contained in the Bureau of Motor Vehicles records:**

☒ Driving Record [302]

☐ Title Owner/Lien holder information [304]

☐ Vehicle Registration Record [303]

☐ Certified Owner/Lien holder information [304]

☐ Last Known Address [405]

☐ Copy of Driver License Application [405]

Make check or money order payable to: **Treasurer, State of Ohio**

PART A: Please provide current information regarding yourself:		↓ NOTE: SIGNATURE REQUIRED ↓		
YOUR NAME (REQUESTOR) _____		DATE OF BIRTH _____		SIGNATURE _____
CURRENT STREET ADDRESS _____		STATE _____		ZIP _____
COMPANY (IF APPLICABLE) _____		BMV ACCOUNT NUMBER (IF APPLICABLE) _____		
SOCIAL SECURITY NUMBER _____		DRIVER LICENSE NUMBER _____		LICENSE PLATE NUMBER _____
VEHICLE IDENTIFICATION NUMBER _____		TITLE NUMBER _____		TELEPHONE NUMBER/FAX NUMBER _____

PART B: Request regarding other person(s):				
PERSON'S NAME _____			DATE OF BIRTH _____	
STREET ADDRESS _____		CITY _____	STATE _____	ZIP CODE _____
SOCIAL SECURITY NUMBER _____		DRIVER LICENSE NUMBER _____		LICENSE PLATE NUMBER _____
TITLE NUMBER _____		VEHICLE IDENTIFICATION NUMBER _____		

If requesting information on more than 1 person or vehicle, attach additional sheet(s).

☒ Additional sheet(s) attached

Make check or money order payable to Treasurer, State of Ohio. If mailing, return to: Ohio Bureau of Motor Vehicles, Attn: Record

Request, P.O. Box 16520, Columbus, Ohio 43216-6520. Results will be mailed to requester.

Part C: I (requester) qualify as checked below, and I am requesting:

1. As an **individual**. (Complete **Part A**, front)

2. XX A record for use in the normal course of business by me as a **legitimate business** or an agent, employee, or contractor of a legitimate business, for one of the two following purposes: (a) to verify the accuracy of personal information submitted to the business, agent, employee, or contractor by an individual; (b) in case personal information submitted to the business, agent, employee, or contractor by an individual is incorrect or no longer is correct, to obtain the correct information, for the sole purpose of preventing fraud, by pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

My tax identification number is: _____ My vendor number is: _____
My professional license number is: _____ Licensed by (agency): _____

3. With **written** consent. (Complete **Parts A** and **B**, front).

4. _____ Records for bulk distribution for surveys, marketing, or solicitations, where the information will be used, rented, or sold solely for bulk distribution for surveys, marketing, or solicitations;
5. _____ A record for the use of a **government agency**, including, but not limited to, a court or law enforcement agency, in carrying out its functions, or for the use of a private person or entity acting on behalf of an agency of this state, another state, the United States, or a political subdivision of this state or another state in carrying out its functions; (a law enforcement agency does not need to fill out this form);
6. _____ A record for use in connection with matters **regarding 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, but not limited to, survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers;
7. _____ A record for use in connection with a civil, criminal, administrative, or arbitral **proceeding in a court or agency** of this state, another state, the United States, or a political subdivision of this state or another state or before a self-regulatory body, including, but not limited to, use in connection with the service of process, investigation in anticipation of litigation, or the execution or enforcement of a judgment or order; (a subpoena or other court order may be used instead of this form);
8. _____ A record pursuant to an **order of a court** of this state, another state, the United States, or a political subdivision of this state or another state; (a subpoena or other court order may be used instead of this form);
9. _____ Records for use in **research** activities or in producing statistical reports, where the personal information will not be published, redisclosed, or used to contact an individual.
10. _____ Records for use by an **insurer**, insurance support organization, or self-insured entity, or by an agent, employee, or contractor of that type of entity, in connection with a claims investigation activity, anti-fraud activity, rating, or underwriting;
11. _____ A record for use in providing notice to the owner of a **towed**, impounded, immobilized, or forfeited vehicle;
12. _____ A record for use by a licensed **private investigative agency** or licensed security service for any purpose permitted under numbers 1 through 15 of this form; my license number is: _____;
13. _____ A record for use by an **employer** or by the agent or insurer of an employer to obtain or verify information relating to the holder of a **commercial driver license** or permit that is required under the "Commercial Motor Vehicle Safety Act of 1986", 100 Stat. 3207-170, 49 U.S.C. 2701, et seq., as now or hereafter amended;
14. _____ A record for use in connection with the operation of a **private toll transportation facility**;
15. _____ A record for any other use **specifically authorized by law** that is related to the operation of a motor vehicle or to **public safety**;
16. _____ A record in order to carry out the purposes of either the "Automobile Information Disclosure Act", 72 Stat. 325, 15 U.S.C. 1231-1233, the "Motor Vehicle Information and Cost Saving Act", 86 Stat. 947, 15 U.S.C. 1901, et seq., the "**National Traffic and Motor Vehicle Safety Act of 1986**" 80 Stat. 718, 15 U.S.C. 1381, et seq., the "Anti-Car Theft Act of 1992", 106 Stat 3384, 15 U.S.C. 2021, et seq., or the "Clean Air Act", 69 Stat. 322, 42 U.S.C. 7401, et seq., all as now or hereafter amended, for use in connection with one or more of the following matters: (a) motor vehicle or driver safety and theft (b) motor vehicle emissions; (c) motor vehicle product alterations, recalls, or advisories; (d) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; (e) removal of non-owner records from the original owner records of motor vehicle manufacturers.

I understand that if I receive personal information under numbers 2, 3, or 5-16 of this form, I may **resell or disclose** the personal information only for uses permitted under numbers 2, 3, or 5-16. I understand that if I receive personal information under number 2-16 of this form, and I **resell or redisclose** any personal information, I must keep for a period of five years a record that identifies each person or entity that receives any of the personal information and the permitted purpose for which the information is to be used, and I must make all such records available to the Registrar of Motor Vehicles upon request.

I hereby certify that all of the information contained on this form is true and accurate to the best of my knowledge and belief. I understand that providing false information may constitute a criminal offense of falsification with a maximum penalty of 6 months in jail and a \$1000 fine.

SIGNATURE _____

DATE _____

Employment

Colorado AFFIDAVIT OF INTENDED USE AND REQUESTOR RELEASE

To obtain record(s), you must declare your intended use of record(s). If you are acting as an agent for an authorized user, you must identify the company or entity on whose behalf you are requesting the record(s).

INFORMATION MAY BE USED ONLY FOR THE FOLLOWING APPROVED PURPOSES:

- ☐ By a government agency, including any court or law enforcement agency performing its functions for an approved purpose under DPPA.
- ☐ By an agency charged with driver/motor vehicle safety or theft including: MV product alterations, recalls, advisories, MV performance monitoring, MV parts/dealers, MV market research or surveys, removal of non-owner records from original records of MV manufacturers.
- ☒ By a business that will use the information to verify the accuracy of information submitted by individuals for the purposes of preventing fraud, pursuing legal remedies against or recovering a debt or security interest.
- ☐ In connection with a civil, criminal, administrative or arbitral proceeding in any court or before a self-regulatory body, including process service, investigation, execution of judgment, or pursuant to a court order.
- ☒ In research activities (the information may not be published, re-disclosed, or used to contact the parties).
- ☐ By an insurer or insurance support agency in connection with claims, investigations, anti-fraud activities, rating or underwriting.
- ☐ To provide notice to owners of towed or impounded vehicles.
- ☐ By an employer / agent or insurer of a Commercial Driver License Holder.
- ☐ In the operation of private toll facilities.
- ☒ Attached is a written consent of the person whose record is being requested.

Under penalty of perjury, I attest that I shall not obtain, resell, transfer, or use the information in any manner prohibited by law. I understand that motor vehicle or driver records that are obtained, resold, or transferred for purposes prohibited by law may subject me to civil penalties under federal and state law.

Signature of Director, Principal _____ Date _____
or Owner of Company or Agency

Email Address

Printed Name

Address

Title of Signatory

City, State, Zip Code

Name of Company or Agency

Phone Number

Fax Number

Information Below is intended for Individual Request

DRIVER INFORMATION:

DRIVER NAME: _____

DRIVER LICENSE NUMBER: _____ DATE OF BIRTH: _____

VEHICLE INFORMATION

OWNER NAME: _____

LICENSE PLATE NUMBER: _____ VEHICLE ID NUMBER (VIN): _____

Employment

ADDENDUM TO SUBSCRIPTION AGREEMENT FOR COLORADO MOTOR VEHICLE REPORTS For INSURANCE and EMPLOYMENT Customers

This Addendum supplements the existing Subscription Agreement between _____ ("Customer") and Company.

Customer hereby requests Colorado Records and agrees to follow and be bound by the following terms and conditions:

Definition:

a. "Records" means driver history and/or motor vehicle records as defined under C.R.S. 42-2-121 and 42-1-206

- 2.0 Sole Use. (Add) If Customer obtains the Records for the purpose of underwriting insurance, then Customer shall be permitted to retain the Records only for as long as is necessary to conduct insurance business. Employers may retain the information only in the employee's employment history file. Subcontractors are not permitted to retain any of the Records.
- 3.4 Archiving. (Changes) Customer shall not use MVR data supplied to directly or indirectly compile, store, or maintain the MVRs (independent of or commingled with other databases) to develop its own source or database of MVRs.
9. Disclaimers. (Changes to Second Paragraph) THE INFORMATION, REPORTS AND PRODUCTS PROVIDED UNDER THIS SERVICE ARE PREPARED FROM INFORMATION SUPPLIED BY VARIOUS STATE AGENCIES AND OTHER SERVICE BUREAUS. ALTHOUGH EVERY EFFORT IS MADE TO ENSURE THE ACCURACY OF THE DATA, THE INFORMATION REPORTS AND OTHER PRODUCTS AND SERVICES ARE PROVIDED "AS IS." THE SERVICE BUREAUS AND STATE AGENCIES SHALL NOT, IN ANY WAY, WARRANT OR ASSUME ANY LIABILITY FOR THE ACCURACY, TIMELINESS, MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE AND / OR COMPLETENESS OF ANY INFORMATION, REPORT OR PRODUCT PROVIDED UNDER THIS AGREEMENT.
13. Choice of Law. (Add) The laws of the State of Colorado, rules and regulations issued pursuant thereto shall be applied in the interpretation, execution, and enforcement of this Addendum. Except for actions pertaining to nonpayment and the terms and conditions of the Subscription Agreement, any other actions between the parties for claims concerning this Addendum shall be in the City and County of Denver, Colorado.
20. Confidentiality. All Records made available or that become available to Customer as a result of this Agreement shall be held in strict confidence by Customer, its employees, agents, contractors and subcontractors.
21. Security. Customer shall at all times maintain safeguards and procedures to ensure the security and protection of data and documents furnished by the State and shall take all necessary steps to prevent divulgence or use of such information or documents in any form or manner not expressly permitted by this Agreement. Minimum security measures shall include controlling access to data storage and production areas, secure destruction of data and documents and other reasonable security measures determined to be necessary at the sole discretion of the State.
22. Third Party Beneficiary. This contract does not create a third party beneficiary right between the State of Colorado and Customers, end users, subcontractors, or other third parties.

This Addendum does not modify, alter, expand or delete any other terms or conditions of the Subscription Agreement. IN WITNESS WHEREOF, the parties certify that each has read, understands, and agrees to the terms and conditions described herein in this Addendum, and Specific State Forms.

SafeNet Corporation powered by FastraxSelect
Company

Customer

Print Name

Print Name

Signature

Signature

Date

Date

GEORGIA DEPARTMENT OF PUBLIC SAFETY

Complete this form to order Georgia
MVRs

570-3-.14 Bulk Users Certificate. Amended.

(1) All bulk users of motor vehicle abstracts must file a certificate in the following form at least once yearly with the Department of Public Safety, Drivers Services Section.

(a) _____ certifies that for each driver record it requests, the information contained therein shall be used solely for the underwriting of insurance involving the driver and that it has on file an application for renewal of or amendment to insurance, or has written authorization of the licensee on file.

(2) In filing this certificate the company agrees to the following provisions:

(a) In the event that an adverse decision is based upon any information supplied to the company by the Department of Public Safety then upon request of the driver this company or the producing agent will inform the named insured driver of all information pertinent to the decision. This provision is to be construed as requiring the company to include specific information included in the driver's operating record.

(b) All information is requested only for this company's exclusive use. This company will not pass any information included in a motor vehicle report to any other person or company, except as provided in Rule 570-3-.13

(c) Any violation of the provisions of this certificate, any other certificates required by the Department of Public Safety or provisions of the Fair Credit Reporting Act, or any other applicable state or federal law will be sufficient grounds for the Department to refuse to issue any additional information on any other driver that the company may request. This administrative action by the Department will not be deemed to supersede any other sanctions prescribed by law, including but not limited to, O.C.G.A. 40-5-2, providing for twelve (12) months in prison or a fine of \$1,000.00 or both for violating rules and regulations concerning motor vehicle reports.

(d) The Department of Public Safety shall have the right to check all records, files, reports and other materials which it may deem necessary to verify that the company filing this certificate has abided by all terms of the certificate and has not violated any rule of the Department of Public Safety, provision of the Fair Credit Reporting Act or any other applicable state or federal law for the purpose of verifying information contained in this certificate.

(3) The burden of showing compliance with the provisions of this certificate is at all times on the company filing this certificate. Upon reasonable notice by the Department the company must be able to demonstrate such compliance.

Georgia Rule Specifically related to employment records:

570-3-.13 Abstracts of Driving Record Information. Amended.

- (1) Any person requesting a Motor Vehicle Report Except for insurance purposes must have a written authorization signed by the licensee who is the subject of the report. Such written authorization must be notarized and must specify the person or company who is to receive this report.

Dated at _____ This _____ Date of _____, 20_____.

Applicant _____

Type of Business _____

Address - _____

Telephone _____

Email _____

Website URL _____

Signature of Person

Authorized to Sign Contract _____

Title Owner _____

Authority Ga. L. 1975, pp. 1008, 1021 (Ga. Code Ann. Sec. 68B-215); O.C.G.A. Sec. 40-5-2. History. Original Rule entitled "Driver Ability Demonstration" was filed and effective on July 20, 1965. Amended: Rule repealed and a new Rule entitled "Bulk Users Certificate" adopted. Filed December 11, 1975; effective December 31, 1975. Amended: Filed September 8, 1987; effective September 28, 1987. Amended: F. Oct. 7, 1993; eff. Oct. 27, 1993.

State of Michigan – Motor Vehicle Records (MVR's)

Insurance/Insurance Claims/Employment/ Subscriber Certification of Use

I certify to the Michigan Department of State that abstracts of driving records obtained from **II**X shall be used exclusively for the purpose(s) of:

rating and qualifying drivers for insurance, insurance claims or employment.

I further certify that the company designated below agrees that the information received will be used only in connection with the business purpose specified under this agreement. Additionally, designated company agrees that the information furnished under this Agreement will not be used to engage in any illegal activity, or in any method, act, or practice, which is unfair or deceptive in the solicitation or advertisement of goods, services, or real estate to Michigan or other consumers. Designated company further agrees not to use the information furnished under this Agreement to compile other records for resale or to store, in any shape or form, any record or data received from the Michigan Dept. of State any longer than required by law, and to destroy or otherwise dispose of the data at the earliest time permitted by law.

Subscriber Name: _____

Address: _____

Authorized Representative (Please Print): _____

Signature: _____

Title: _____

INFORMATION USE ACKNOWLEDGEMENT EMPLOYMENT

WHEREAS, the Commonwealth of Virginia, Department of Motor Vehicles, may under existing statutes furnish an abstract of a driver's record as maintained by said office for the purpose of employment screening, Va. Code §46.2-208 (B) (11) which limits the release of such abstract to an employer, potential employer, or authorized agent who has been authorized in writing by such driver to obtain the driver's record;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE UNDERSIGNED DOES HEREBY ACKNOWLEDGE AND CERTIFY AS FOLLOWS:

1. That, as prescribed by the laws of the Commonwealth of Virginia, every person on whom a request for an abstract for employment purposes is made shall have first given his or her written consent to the release of such an abstract when required for statutory compliance.
2. That anytime an **employment** record request is made, a signed release by the person for whom the report is ordered must be received and maintained by the customer ordering the report. The original written authorization, signed by the driver on whom the abstract is requested, or a copy thereof, shall be maintained by the undersigned for a minimum of five years from the date of the record's request.
3. That the original written authorization signed by the driver on whom an abstract is requested, or a copy thereof, shall be furnished by the undersigned to the Commonwealth of Virginia upon request.
4. That the undersigned further agrees to indemnify and hold harmless the Commonwealth of Virginia for any liabilities and/or damages caused by virtue of the undersigned's breach of this agreement or the laws of the Commonwealth of Virginia.
5. That the reports your company obtains may not be offered for sale over the Internet, sent via email or provided to a third party.
6. When a report is ordered, you will not pass this information to a third party either in verbal or written form. This is due to F.C.R.A. regulations that prohibit a person from obtaining a consumer report from a consumer reporting agency (CRA) unless the person has certified to the CRA the permissible purpose for which the report is being obtained and certifies that the report will not be used for any other purpose.
7. That you will not provide the report to the consumer directly, **unless** you have taken an adverse action against the consumer, such as denial of employment. In the instance of an adverse action, you must provide a copy of the MVR along with a copy of the consumer's rights under FCRA and provide them with the toll free phone number of the consumer reporting agency that provided the report. The consumer may request a free copy of the report, in the case of an adverse action, from the consumer reporting agency.
8. That random audits will be conducted to ensure compliance measures are maintained.

Federal Laws regarding appropriate uses of MVR information must be followed.

I have read and understand the above requirements.

Company or Organization

Signature

Address

Date

City, State

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE ADMINISTRATION
PRIVACY PROTECTION POLICY

In consideration of receiving personal information contained in Motor Vehicle Administration records, I HEREBY CERTIFY on behalf of _____ as its authorized agent **this** _____ **day of** _____, **20**____, that

1. _____ understands that federal laws affect access to and use of computer information including, but not limited to, 15 U.S.C.A. § 278g-3 (Computer Security Act of 1987); 23 U.S.C.A. § 401 (National Driver Register Act); 5 U.S.C.A. § 552 (Freedom of Information Act); 5 U.S.C.A. § 552a (Privacy Act of 1974); 18 U.S.C.A. § 1001 (Computer Fraud and Abuse Act of 1986); 17 U.S.C.A. § 109 (Computer Software Rental Amendments Act of 1990); 15 U.S.C.A. § 1681 (Fair Credit Reporting Act); and, 18 U.S.C.A. §§ 2721 et seq. (Driver's Privacy Protection Act of 1994).
2. The Maryland Department of Transportation Office of Information Resources, its client agencies and their customers also adhere to state data processing security policies as set forth in Executive Order 01.01.1983.18 (Privacy and State Data System Security); Md. Code Ann., Crim. Law §8-606 (falsification of public records) and §7-302 (unauthorized access); Md. Code Ann., State Gov't §§ 10-611, 10-616 and 10-626 (Maryland Public Information Act); Md. Code Ann. Transp. II §§ 12-111 to 12-113 (Motor Vehicle Administration Records); and, as published by the Secretary of the Department of Budget and Management from time to time under Md. Code Ann., State Fin. & Proc. § 3-403.
3. _____ and all employees agree to maintain in strictest confidence and not willfully disclose to any person, firm, or corporation information obtained as a result of their access to personal information from Motor Vehicle Records.
4. By signing this agreement, _____ warrants that the signator and all personnel are familiar with all provisions of the federal Driver Privacy Protection Act of 1994, 18 U.S.C.A. §§ 2721 et seq., and with §§ 10-611, 10-616, 10-626 of the State Government Article and §§ 12-111 through 12-113 of the Transportation Article, Annotated Code of Maryland, which limit access to personal information from public records in Maryland. Further, _____, in behalf of itself, its successors and assigns further agrees that all users will abide by the terms of both the federal and state law including, but not limited to, those restricting access to personal information from Motor Vehicle Administration records only to those persons and for those purposes which are permitted under both laws.
5. _____ agrees to keep a record for five (5) years of all persons to whom information is redisclosed under this Agreement, and the purpose for which the information is to be used; and, to make that record available to the Motor Vehicle Administration upon request.
6. _____ shall be liable for, and shall indemnify, defend, and hold the Motor Vehicle Administration harmless for, any misuse or misappropriation of any personal information in a record obtained from the Administration in connection with this agreement.
7. _____ shall further indemnify the Motor Vehicle Administration for and against any and all losses, damages, judgments, liabilities or similar costs and expenses which arise in whole or part out of acts or omissions by _____ with respect to laws restricting access to and disclosure of vehicle records including, without limitation, reasonable attorneys fees and all other costs of defending against such action or claim.

IN WITNESS WHEREOF, the parties have caused these presents to be executed.

Maryland Department of Transportation Motor Vehicle Administration sign below

Witness: _____

By: _____

Date: _____

Date: _____

Purchaser- Please sign in box below

Witness: _____

By: X _____

Date: _____

Date: _____

Approved as to form and legal sufficiency:

Date: _____

Assistant Attorney General

AttachmentG-1
Prospective Employee Request

That I, _____, am a prospective employee of the company named below and that I request a copy of my official Driving Record in the State of Washington be released to my prospective employer or their agent.

Authorization of prospective employee for release of abstract of driving record for employment purposes as defined in (C) below, not to exceed thirty (30) days from date signed:

Signature	Date	WA License # or print full name and date of birth
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EMPLOYER ATTESTATION

- A. That the company named below is a prospective employer of the above named individual and that I am a representative authorized to bind said company.
- B. That SafeNet Corporation powered by FastraxSelect is acting as agent on our behalf to obtain the abstract of driver records of the above named individual.
- C. That abstracts of driver records shall be used exclusively to determine whether the above named individual should be employed to operate a school bus or commercial vehicle or for employment purposes related to driving by an individual as a condition of that individual's employment upon the public highways, and that no information contained therein shall be divulged, sold, assigned, or otherwise transferred to any third person or party. A commercial vehicle is defined as any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animal, or passengers for hire as defined in RCW46.04.140, and commercial motor vehicles as defined in Chapter46.25 RCW.
- D. That the information contained in the abstracts of driver records obtained from the DEPARTMENT shall be used in accordance with the requirements and in no way violate the provisions of RCW 46.52.130, attached in part for easy reference.

By affirming my signature below, I declare under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct.

COMPANY NAME

Address

Name (print) Title

Signature Date

The employer or prospective employer must maintain this record for a period of not less than two (2) years from the date of the most recent request. Failure to obtain all signatures or misuse of records obtained from the State of Washington may result in prosecution under RCW 46.52.130.

**AttachmentG-2
Employee Request**

That I, _____, am a prospective employee of the company named below and that I request a copy of my official Driving Record in the State of Washington be released to my employer or their agent.

Authorization of prospective employee for release of abstract of driving record for employment purposes as defined in (C) below, at my employers discretion for the full term of my employment:

Signature	Date	WA License # or print full name and date of birth
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EMPLOYER ATTESTATION

- A. That the company named below is an employer of the above named individual and that I am a representative authorized to bind said company.
- B. That SafeNet Corporation powered by FastraxSelect is acting as agent on our behalf to obtain the abstract of driver records of the above named individual.
- C. That abstracts of driver records shall be used exclusively to determine whether the above named individual should be employed to operate a school bus or commercial vehicle or for employment purposes related to driving by an individual as a condition of that individual's employment upon the public highways, and that no information contained therein shall be divulged, sold, assigned, or otherwise transferred to any third person or party. A commercial vehicle is defined as any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animal, or passengers for hire as defined in RCW46.04.140, and commercial motor vehicles as defined in Chapter46.25 RCW.
- D. That the information contained in the abstracts of driver records obtained from the DEPARTMENT shall be used in accordance with the requirements and in no way violate the provisions of RCW 46.52.130, attached in part for easy reference.

By affirming my signature below, I declare under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct.

COMPANY NAME

Address

Name (print)	Title
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Signature	Date
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The employer must maintain this record for a period of not less than two (2) years from the date of the most recent request. Failure to obtain all signatures or misuse of records obtained from the State of Washington may result in prosecution under RCW 46.52.130.