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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO INSURANCE -- MOTOR VEHICLE THEFT AND MOTOR VEHICLE
INSURANCE FRAUD REPORTING -- IMMUNITY ACT

Introduced By: Representative P. Morgan

Date Introduced: March 05, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-49-3.1 of the General Laws in Chapter 27-49 entitled "Motor
2 Vehicle Theft and Motor Vehicle Insurance Fraud Reporting — Immunity Act" is hereby amended
3 to read as follows:

4 **27-49-3.1. Disclosure of personal information obtained in connection with motor**
5 **vehicle records.**

6 (a) Purpose. The purpose of this section is to implement the federal Driver's Privacy
7 Protection Act of 1994 ("DPPA"), 18 U.S.C. § 2721 et seq.

8 (b) Definitions. As defined in 18 U.S.C. § 2725, the following definitions apply to this
9 section:

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

13 (2) "Person" means an individual, organization, or entity, but does not include a state or
14 agency of a state.

15 (3) "Personal information" means information that identifies an individual, including an
16 individual's photograph, social security number, driver identification number, name, address (but
17 not the 5-digit zip code), telephone number, and medical or disability information, but does not
18 include information on vehicular accidents, driving violations, and driver's status.

1 (c) Prohibition on release and use of certain personal information from state motor vehicle
2 records.

3 (1) In general. Except as provided in subdivision (c)(2) of this section, the division of motor
4 vehicles, and any officer, employee, or contractor of the division, shall not knowingly disclose or
5 make available to any person or entity personal information about any individual obtained by the
6 division in connection with a motor vehicle record including the direct or indirect disclosure of the
7 information to any private company, nonprofit organization or third-party vendor including, but
8 not limited to, any information gathering centers using the information for the accuracy of voting
9 information or otherwise.

10 (2) Permissible uses. Personal information referred to in subdivision (c)(1) of this section
11 shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft,
12 motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance
13 monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of
14 nonowner records from the original owner records of motor vehicles manufacturers to carry out the
15 purposes of the Automobile Information Disclosure Act, 15 U.S.C. § 1231 et seq., the Motor
16 Vehicle Information and Cost Savings Act (see now 49 U.S.C. § 32101 et seq.), the National Traffic
17 and Motor Vehicle Safety Act of 1966 (see now 49 U.S.C. § 30101 et seq.), the Anti-Car Theft Act
18 of 1992 (see now 49 U.S.C. § 32101 et seq.), and the Clean Air Act, 42 U.S.C. § 7401 et seq., and
19 may be disclosed as follows:

20 (i) For use by any government agency, including any court or law enforcement agency, in
21 carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local
22 agency in carrying out its functions;

23 (ii) For use in connection with matters of motor vehicle or driver safety and theft; motor
24 vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring
25 of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities,
26 including survey research; and removal of nonowner records from the original owner records of
27 motor vehicle manufacturers;

28 (iii) For use in the normal course of business by a legitimate business or its agents,
29 employees, or contractors, but only:

30 (A) To verify the accuracy of personal information submitted by the individual to the
31 business of its agents, employees, or contractors; and

32 (B) If the information as submitted is not correct or is no longer correct, to obtain the correct
33 information, but only for the purposes of preventing fraud by pursuing legal remedies against, or
34 recovering on a debt or security interest against, the individual;

1 (iv) For use in connection with any civil, criminal, administrative, or arbitral proceeding in
2 any federal, state, or local agency or before any self-regulatory body, including the service of
3 process, investigation in anticipation of litigation, and the execution or enforcement of judgments
4 and orders, or pursuant to an order of a federal, state, or local court;

5 (v) ~~For use in research activities, and for use in producing statistical reports, so long as the~~
6 ~~personal information is not published, redisclosed, or used to contact the individuals;~~

7 (vi) For use by any insurer or insurance support organization, or by a self-insured entity,
8 or its agents, employees, or contractors in connection with claims investigation activities, anti-fraud
9 activities, rating, or underwriting;

10 (vii) For use in providing notice to the owners of towed or impounded vehicles;

11 (viii) For use by any licensed private investigative agency or licensed security service for
12 any purpose permitted under this subsection;

13 (ix) For use by an employer or its agent or insurer to obtain or verify information relating
14 to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle
15 Safety Act of 1986 (see now 49 U.S.C. § 31301 et seq.); [and](#)

16 (x) For use in connection with the operation of private toll transportation facilities;

17 (xi) ~~For any other use in response to a request for individual motor vehicle records, unless~~
18 ~~that use is prohibited by the individual; and~~

19 (xii) ~~For bulk distribution for surveys, marketing, or solicitations, provided that the~~
20 ~~information will be used, rented, or sold solely for bulk distribution for surveys, marketing, and~~
21 ~~solicitations and that surveys, marketing, and solicitations will not be directed at those individuals~~
22 ~~who have requested in a timely fashion that they not be directed at them.~~

23 (3) Notice. The division of motor vehicles shall provide in a clear and conspicuous manner
24 on forms for issuance or renewal of operators permits, titles, registrations, or identification cards,
25 notice that personal information collected by the division may be disclosed to any business or
26 person and provide in a clear and conspicuous manner on the forms an opportunity to prohibit the
27 disclosures; provided, that social security numbers and medical or disability information shall not
28 be subject to disclosure under this chapter.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO INSURANCE -- MOTOR VEHICLE THEFT AND MOTOR VEHICLE
INSURANCE FRAUD REPORTING -- IMMUNITY ACT

- 1 This act would prohibit the release of customers personal information compiled by the
- 2 department of motor vehicles to any private company, nonprofit organization or third-party vendor.
- 3 This act would take effect upon passage.

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