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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2795

03/06/2014 Authored by Holberg, Erhardt, Simon, Runbeck, Rosenthal and others

The bill was read for the first time and referred to the Committee on Civil Law

03/19/2014 Adoption of Report: Amended and re-referred to the Committee on Transportation Finance

1.1 A bill for an act
1.2 relating to data practices; modifying standards related to bulk transfer of certain
1.3 driver's license and motor vehicle registration data; amending Minnesota Statutes
1.4 2012, sections 168.346, subdivision 1; 171.12, subdivision 7.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 168.346, subdivision 1, is amended to read:

1.7 Subdivision 1. **Vehicle registration data; federal compliance.** (a) Data on an
1.8 individual provided to register a vehicle shall be treated as provided by United States
1.9 Code, title 18, section 2721, as in effect on May 23, 2005, and shall be disclosed as
1.10 required or permitted by that section. The commissioner shall disclose the data in bulk
1.11 form to an authorized recipient upon request for any of the permissible uses described in
1.12 United States Code, title 18, section 2721.

1.13 (b) The registered owner of a vehicle who is an individual may consent in writing to
1.14 the commissioner to disclose the individual's personal information exempted by United
1.15 States Code, title 18, section 2721, to any person who makes a written request for the
1.16 personal information. If the registered owner is an individual and so authorizes disclosure,
1.17 the commissioner shall implement the request.

1.18 (c) If authorized by the registered owner as indicated in paragraph (b), the registered
1.19 owner's personal information may be used, rented, or sold solely for bulk distribution by
1.20 organizations for business purposes including surveys, marketing, or solicitation.

1.21 Sec. 2. Minnesota Statutes 2012, section 171.12, subdivision 7, is amended to read:

1.22 Subd. 7. **Privacy of data.** (a) Data on individuals provided to obtain a driver's
1.23 license or Minnesota identification card shall be treated as provided by United States Code,

2.1 title 18, section 2721, as in effect on May 23, 2005, and shall be disclosed as required or
2.2 permitted by that section. The commissioner shall disclose the data in bulk form upon
2.3 request to an authorized recipient under United States Code, title 18, section 2721.

2.4 (b) An applicant for a driver's license or a Minnesota identification card may consent,
2.5 in writing, to the commissioner to disclose the applicant's personal information exempted
2.6 by United States Code, title 18, section 2721, to any person who makes a request for the
2.7 personal information. If the applicant so authorizes disclosures, the commissioner shall
2.8 implement the request and the information may be used.

2.9 (c) If authorized by an applicant for a driver's license or a Minnesota identification
2.10 card, as indicated in paragraph (b), the applicant's personal information may be used,
2.11 rented, or sold solely for bulk distribution by organizations for business purposes,
2.12 including surveys, marketing, or solicitation.

2.13 (d) An applicant for a driver's license, instruction permit, or Minnesota identification
2.14 card may request that the applicant's residence address be classified as "private data on
2.15 individuals," as defined in section 13.02, subdivision 12. The commissioner shall grant
2.16 the classification on receipt of a signed statement by the individual that the classification
2.17 is required for the safety of the applicant or the applicant's family, if the statement also
2.18 provides a valid, existing address where the applicant consents to receive service of
2.19 process. The commissioner shall use the service for process mailing address in place of the
2.20 residence address in all documents and notices pertaining to the driver's license, instruction
2.21 permit, or Minnesota identification card. The residence address and any information
2.22 provided in the classification request, other than the mailing address, are private data on
2.23 individuals and may be provided to requesting law enforcement agencies, probation and
2.24 parole agencies, and public authorities, as defined in section 518A.26, subdivision 18.

2.25 Sec. 3. **EFFECTIVE DATE.**

2.26 This act is effective the day following final enactment.