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Data Sharing Between the Alaska Division of Motor Vehicles and Social Security Administration

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You asked for information detailing why Alaskans are unable to request a replacement Social Security card online.

You explained that your office was recently advised that Alaska is the only state where residents are unable to apply online for a replacement Social Security card. You were told that a 2021 change in state law caused the Division of Motor Vehicles (DMV) to stop participating in the American Association of Motor Vehicle Administrators (AAMVA). And, because the Social Security Administration (SSA) uses the AAMVA to verify identities, state residents cannot apply for a replacement card online. You asked for information about the statute that caused the change.

In short, the change was prompted, not because of a statutory change, but based on advice from the Department of Law that [AS 28.15.151](#) does not authorize the DMV to share the otherwise confidential information needed to facilitate the data verification service through AAMVA.

Social Security Administration

We contacted the applicable SSA Regional Data Exchange Coordinators to confirm whether Alaskans can apply for a replacement Social Security card online, and received the following information:

We have two processes at the Social Security Administration (SSA) that allow a customer to request a replacement SSN card. One process is called the Internet Social Security Number Replacement Card (iSSNRC), and the other is titled the Online Social Security Number Application Process (oSSNAP).

Per the iSSNRC *policy*, “(iSSNRC) is a secure automated (SSN) application process, which allows members of the public who meet certain criteria to apply for a no change SSN replacement card or last name change replacement SSN card due to marriage electronically.”

On or around May 28, 2021, Alaska stopped participating in the Driver License Data Verification (DLDV) service provided by the American Association of Motor Vehicle Administrators (AAMVA). As a result, AAMVA had to shut down DLDV service with Alaska effective with the same date. SSA used DLDV to verify a customer’s identity for iSSNRC transactions. Due to the inability to verify customer information, Alaskans have been unable to utilize iSSNRC since May 28, 2021. SSA was not involved in the decision since the contract was between Alaska and AAMVA.

According to oSSNAP *policy*, “(oSSNAP) is a partially automated web application, which allows applicants who meet certain criteria to start and submit an SSN application online for either: an original SSN card; a replacement SSN card that requires no change to the SSN record; or a replacement SSN card that requires a name change on the SSN record. These applicants need to provide all required evidentiary documents to the local Social Security Administration field office (FO) or Social Security Card Center (SSCC). The applicant must do this within 45 calendar days from the oSSNAP submission date to complete the process.”

Therefore, an Alaskan can utilize oSSNAP to request a replacement SSN card online. However, oSSNAP requires that the customer submit their evidentiary documents to a local office in person or via mail. This is in contrast to iSSNRC, which requires no additional action from the customer.

American Association of Motor Vehicle Administrators

According to its *website*, the AAMVA consists of American and Canadian officials responsible for administering and enforcing motor vehicle laws. It provides a “variety of technology services including *system applications, network services, software products, and standards* that enable members to securely share driver, vehicle, and identity verification data with organizations.”

The *Driver’s License Data Verification* service lists 44 states as participating with no restrictions, and five as participating “SSA only.” Alaska is listed as “under review,” however, and the AAMVA provided the following information about Alaska’s participation:

Alaska is the only state where residents cannot request a replacement SS card online. The reason is that requesting a replacement card online requires verification of the individual’s identity through AAMVA’s Driver License Data Verification (DLDV) service, and the Alaska DMV is not participating in DLDV. Alaska being listed as “Under Review” on the DLDV map is likely not the case at this time.

AAMVA’s understanding is that the Alaska DMV’s participation in DLDV is prohibited by Alaska statute, so participation would require a change to Alaska law. The Alaska DMV asked for this change as part of a DMV omnibus bill put forward in the 2024 legislative session (and prior sessions); however, the bill was not picked up by the Alaska Governor’s office. With the change in AK DMV leadership this past year, advancing AK’s participation in DLDV may have fallen off the radar for the most recent legislative session.

We note, however, that Alaska is a member of and participates in other verification programs administered by AAMVA, including the State to State data exchange, passport and lawful status verification programs, as evidenced by current payments shown the online *Checkbook Alaska*.

Division of Motor Vehicles

Department of Administration Legislative Liaison Forrest Wolfe provided the following information:

The reason for ending the DLDV agreement with AAMVA, which provided the data verification service to SSA, is that Department of LAW concluded upon extensive analysis of current Alaska statutes that the service was in conflict with AS 28.15.151, which defined the information being verified as “private and confidential,” and thus could not be confirmed.

The specific information being verified was an applicant’s name, address, date of birth, and social security number. AAMVA administered the program, acquired data verification from Alaska DMV, then conveyed a simple “match” or “no match” response to SSA, then deleted the verified data from their system. LAW recommended ending the agreement due to conflict with statute, and DMV opted not to renew the agreement based on this recommendation. Alaska, while now compliant with statute, is now the only state in the union without an active or pending agreement to provide this verification service for its citizens.

The DMV has consistently recommended the drafting of legislation that would explicitly authorize the DLDV verification service, thereby clearly defining the exception to AS 28.15.151.

State law

Alaska Statute 28.15.151 provides the Department of Administration shall maintain a file of “every driver’s license application, license or permit, and duplicate driver’s license issued by it,” as well as information about licensing actions including suspensions and revocations, accident reports, and actions disqualifying individuals from operating commercial vehicles. Subsections (c) and (d) allow the department to release abstracts of an individual’s driving record under specific circumstances. Subsection (f) provides that “information and records under this section are declared confidential and private” except as otherwise provided in the section and in AS 15.07.195.¹

In addition to AS 28.15.151, however, another statute may also hinder the department’s ability to participate in the DLDV verification service. In 2017, the legislature repealed a provision of state law prohibiting the state from expending funds to implement REAL ID, and authorized the Department of Administration to offer a REAL ID compliant driver’s license (*ch. 8 SLA 2017; HB 16*). At the time, the state was facing the end of an extension granted by the federal government to implement REAL ID, at which time Alaska drivers’ licenses would no longer be sufficient to visit military bases or go through

¹ AS 28.15.151(f) was amended in 2016 to add the reference to AS 15.07.195 (SB 9, ch. 13 SLA 2016). The purpose of the amendment was to “make explicitly clear that [the State of Alaska] has the authority to share the data that the Division of Elections gets from DMV with participating states under the ERIC [Electronic Registration Information Center] project” (Testimony of Assistant Attorney General Libby Bakalar, *House State Affairs Committee*, January 26, 2016, beginning at time stamp 9:44:03 AM).

airport security.² However, many in the legislature and public were concerned about what they believed was an overreach of federal authority and invasions of personal privacy.

HB 16 also added a prohibition on data sharing. *AS 28.05.068* provides in part:

- (a) If the department conveys, distributes, or communicates data to be used in a database, index, pointer system, or any other system managed by an entity other than the department, including the American Association of Motor Vehicle Administrators, to comply with the requirements of P.L. 109-13, Division B (REAL ID Act of 2005), the department may not convey, distribute, or communicate to that entity any data not required to be conveyed, distributed, or communicated for the state to be certified by the United States Department of Homeland Security to be in compliance with the requirements of P.L. 109-13, Division B (REAL ID Act of 2005)."
- (b) Notwithstanding (a) of this section, the department may not convey, distribute, or communicate to a private entity any scanned or stored documents collected in order to carry out the provisions of *AS 28.15* [drivers' licenses].

This provision took effect on January 1, 2019.

Because these provisions were rolled into *HB 16* during the last days of session, relevant legislative history can be found in *SB 34* and *HB 74*, companion bills introduced at the request of the governor. Both bills were the subject of much public and legislative interest, especially relating to information sharing.

Committee minutes reveal that one of the larger concerns was the sharing of five digits of Alaskans' social security numbers as part of the *State to State* (S2S) verification service administered by the AAMVA. Legislators voiced concern that "SSNs [social security numbers] are not required by the REAL ID Act; however, participation in a S2S system is required. There is only S2S system – the one administered by AAMVA – and since S2S requires SSNs, by default REAL ID does require SSNs" (Comments by Rep. Wool, [House State Affairs Committee](#), April 4, 2017; relevant discussion begins at time stamp 6:03:15 PM). Information from the S2S webpage states "Participation in S2S does not commit a state to be in compliance with the federal REAL ID Act. However, if a state chooses to be REAL ID compliant, the Department of Homeland Security generally looks for S2S to be part of their compliance plan." These concerns appear to have led to the establishment of the prohibition on data sharing.

We hope this is helpful. If you have questions or need additional information, please let us know.

² We note that the current *REAL ID effective date* is set for May 7, 2025.