

Offered: 4/18/86
Referred: Judiciary and
Finance

Original sponsors: Faiks and V.Fischer

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 275 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to release of motor vehicle re-
7 cords."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. PURPOSE. The legislature believes that the need of the
10 public to have information concerning motor vehicle records should be
11 balanced against the individual's right of privacy. This Act is intended
12 to provide information to those persons or government agencies who legiti-
13 mately need to have access to the information, while ensuring that the
14 right of the individual regarding confidentiality and privacy of motor
15 vehicle records is respected.

16 * Sec. 2. AS 28.05.061(c) is repealed and reenacted to read:

17 (c) The department shall, upon request, subject to the appli-
18 cable provisions of AS 12.62, furnish a municipal, state, or federal
19 administrative or judicial agency with records on file under this
20 section. The department may not charge a fee for records furnished
21 under this subsection.

22 * Sec. 3. AS 28.05.061 is amended by adding new subsections to read:

23 (d) The department shall, upon written request and payment of a
24 fee sufficient to cover the cost of processing the request, furnish a
25 certified copy of a record on file under this section to

26 (1) the vehicle owner, license holder, or driver named in
27 the record;

28 (2) a person who provides on a form furnished by the com-
29 missioner the written authorization of the vehicle owner, license

1 holder, or driver named in the record;

2 (3) a private investigator licensed and bonded as required
3 by the state;

4 (4) an attorney licensed to practice law in the state, or
5 the attorney's legal designee, provided data being obtained is rele-
6 vant to pending or potential court proceedings;

7 (5) an officer or employee of a financial institution
8 licensed to do business in the state;

9 (6) a vehicle dealership, that is registered with the state
10 Department of Public Safety, division of motor vehicles;

11 (7) a person engaged in performing recall verification
12 programs for repair or modification of motor vehicles by vehicle and
13 tire manufacturers;

14 (8) a person compiling and publishing motor vehicle statis-
15 tics, or engaged in marketing research for motor vehicle manufactur-
16 ers, provided that the statistics and research do not result in dis-
17 closure of the names and addresses of individuals; or

18 (9) a business or person as determined by the commissioner
19 by regulation to have a legitimate need for receiving a copy of the
20 record requested.

21 (e) The department shall maintain for one year the name and
22 address of a business or person that receives a copy of a record under
23 (d)(3) - (9) of this section and release the name and address, upon
24 request, to the person named in the record.

25 (f) The department shall provide written notice at the time of
26 application for motor vehicle registration

27 (1) that information concerning an applicant that is on
28 file with the department may be released to persons outside the de-
29 partment with a legitimate need for the information; and

1 (2) that the name and address of a business or person that
2 obtains information from a department record will be released upon
3 request to the person named in the record.

4 (g) Except as otherwise provided in this section, records main-
5 tained under this section are confidential and private.