

HB

272

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to release of motor vehicle records.
Sponsor: Rieger
Requestor: House Transportation

Agency Affected: Public Safety
BRU: Division of Motor Vehicles
Components: Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-	29.8	30.7	31.6	32.6	33.6
TRAVEL						
CONTRACTUAL		14.2	13.1	13.5	13.9	14.3
SUPPLIES		.2	.2	.2	.3	.3
EQUIPMENT		16.1				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		60.3	44.0	45.3	46.8	48.2

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		60.3	44.0	45.3	46.8	48.2
FEDERAL FUNDS						
OTHER						
TOTAL		60.3	44.0	45.3	46.8	48.2

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

A 3% inflation factor included in FY90 and subsequent years.
Assume effective date of July 1, 1988.
See attached page.

Prepared by: Jay N. Dulany *JND* Phone: 269-5551
Division: Motor Vehicles Date: 1/12/88

Approved by Commissioner: Paul A. A. O'Brien Date: 1-28-88
Agency: Dept. of Public Safety *Dep Comm.*

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB272

EXPENDITURES:

Personal Services		
1 MVR II, Range 9, Anchorage	29.8	29.8
Contractual		
Communications		
Telephone and tolls	2.0	
Postage	1.5	
Printing		
Forms	2.0	
Data Processing		
DP Network connect	1.5	
DPS Info. Systems chargeback	5.7	
@ \$475 per month		
CRT/Printer/Controller maintenance	1.5	
		14.2
Commodities		
Normal office supplies, envelopes	.2	.2
Equipment		
1 chair	.3	
1 desk	.5	
1 calculator	.3	
1 CRT terminal	3.8	
1 typewriter	.9	
1 controller	5.8	
1 printer	4.5	
		16.1
	Total	<u>60.3</u>

Position Title Motor Vehicle Representative II			No. of Positions 1	Range/Step 9B	Barg. Unit GGU
Time Status PFT	Staff Months 12		Location Anchorage		Election District 7-15
Type of Expenditure			Amount		
1			2		3
Salary			21,420		
Benefits			5,355		
Premium Pay					
Other			3,027		
Total Personal Services					29.8
Travel					
Contractual					14.2
Commodities					.2
Equipment					16.1
Other					
Total Cost					60.3
Funding Source for Total Cost					
Federal Receipts 1002					
G.F. Match 1003					
General Fund 1004					60.3
I-A Receipts 1006					
CIP Receipts 1061					
Other					

This position will be required to deal with the additional activity resulting from passage of this bill.

Due to the FY83 elimination of a research position in the Anchorage office, microfiche was made available at the office for individuals to research and find their own information from motor vehicle registration records. With passage of this bill, anyone requesting vehicle information will have to be screened to verify eligibility. If the requestor is eligible, they will be provided with the necessary data.

This position will do the screening to determine eligibility, and perform the record search when necessary.

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU Motor Vehicles
Component Vehicle Services

FY 89

Page 3 of 3
Revised Date

BILL NO: HB 272

DATE: April 21, 1987

TITLE: An Act relating to release
of motor vehicle records.

CONTACT: Bill Brown
465-4335

APR 28 1987

Motor vehicle registration information is currently public. This bill would restrict who could obtain data from those files. It also prohibits disclosure of a social security number.

The main part of the bill relating to the release of data from registration files is workable, however, there are additional needs to be addressed. It will preclude certain persons now utilizing the information from having access. Some examples are: private enterprise acting through contracts to provide service to the State (ie: student loan collection); civil process servers; private investigators; collection agencies; private individuals wanting to identify vehicles abandoned on their property; attorney services; and surprisingly, private individuals who purchase cars and do not transfer appropriate paperwork, at some later time lose their paperwork, and don't even know who they bought the car from, which is not uncommon. A recommended amendment is to add an item 6 in Section 2(d) of the bill as follows:
"(6) a business or person determined by the commissioner to have a legitimate need for receiving a copy of the record requested."

The prohibition to release a social security number is opposed. It is recommended the first sentence in subsection (e), beginning on line 4 of page 2 be deleted. The SSN is not currently released to any of those persons or firms listed in subsection (d). However, it is released to governmental agencies listed in subsection (c). It is unknown why the legislature would want to take an identification tool away from these agencies, especially from the criminal justice agencies.

Due to the FY83 elimination of a research position in the Anchorage office, microfiche was made available to allow individuals in Anchorage to research the vehicle registration records themselves. In other areas of the State, DMV employees do the research to respond to inquiries. This legislation will require the department to set stricter guidelines concerning access to registration information. This will eliminate the opportunity for open individual research. Therefore, one motor vehicle representative position will be necessary in Anchorage to screen requests, determine eligibility, and perform the record search when necessary.

The department is neutral on this bill, with the exception of the first sentence beginning on line 4, page 2, which it opposes.


Arthur English
Commissioner

DEPARTMENT OF
PUBLIC SAFETY

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STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version : HR 272

Publish Date : _____

Revision Date: _____

Agency Affected: Public Safety

Title: An Act relating to release of motor vehicle records.

BRU: Motor Vehicles

Sponsor: Rieker

Components: Vehicle Services

Requestor: House Transportation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		29.8	30.7	31.6	32.6	33.6
TRAVEL						
CONTRACTUAL		14.2	13.1	13.5	13.9	14.3
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EQUIPMENT		16.1				
LAND & STRUCTURES						
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REVENUE						
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FEDERAL FUNDS						
OTHER						
TOTAL		60.3	44.0	45.3	46.8	48.2

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

A 3% inflation factor included in FY89 and subsequent years.
Assume effective date of July 1, 1987.

Prepared by: Charles R. Hosack

Phone: 269-5551

Division: Motor Vehicles

Date: 4-21-87

Approved by Commissioner: [Signature]

Date: 4/21/87

Agency: Public Safety

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 272

EXPENDITURES:

Personal Services

1 MVR II, Range 9, Anchorage	29.8	29.8
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Contractual

Communications

Telephone and tolls	2.0	
Postage	1.5	

Printing

Forms	2.0	
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Data Processing

DP Network Connect	1.5*	
DPS Info Systems chargeback @ \$475 per month	5.7	
CRT/Printer/Controller maintenance	1.5	
		14.2

Commodities

Normal office supplies, envelopes.	.2	.2
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Equipment

1 chair	.3	
1 desk	.5	
1 calculator	.3	
1 CRT terminal	3.8	
1 typewriter	.9	
1 controller	5.8	
1 printer	4.5	

		16.1
TOTAL		60.3

Position Title Motor Vehicle Representative II		No. of Positions 1	Range/Step 9B	Barg. Unit GGU
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Justification				
Type of Expenditure			Amount	
1	2	3		
Salary	21,420			
Benefits	5,355			
Premium Pay				
Other	3,027			
Total Personal Services		29.8		
Travel				
Contractual		14.2		
Commodities		.2		
Equipment		16.1		
Office				
Total Cost		60.3		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	50.3		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
<p>This position will be required to deal with the additional activity resulting from passage of this bill.</p> <p>Due to the FY83 elimination of a research position in the Anchorage office, microfiche was made available at the office for individuals to research and find their own information from motor vehicle registration records. With passage of this bill, anyone requesting vehicle information will have to be screened to verify eligibility. If the requestor is eligible, they will be provided with the necessary data.</p> <p>This position will do the screening to determine eligibility, and perform the record search when necessary.</p>				

**Request For
New Position**

Agency Public Safety
 BRU Motor Vehicles
 Component Vehicle Services

Page 3 of 3
 Revised Date

FY 88

Motznik Computer Services, Inc.

3701 Mountain View Drive
Anchorage, Alaska 99508
(907) 276-6254

JAN 28 1988

January 25, 1988

Rep. Bette Cato
P.O. Box V
Juneau, Alaska 99811

Dear Rep. Cato:

I'm writing regarding HB272 which would make motor vehicle information confidential.

The motor vehicle file showing ownership and liens on vehicles is the clearing house for vehicle ownership, just as the recording office is the clearing house for ownership or attachments of real property. I don't see how you can make this information confidential.

Some of the current uses of the file are:

1. Lenders check the file to see that their lien on the vehicle is properly recorded. If the vehicle they are lending on is used, they check the file to see there are no lien holders before them.
2. An individual buying a used car can check the file to make sure there are no lien holders.
3. A towing company can check the file to find out who owns the vehicle they have towed.
4. Before disposing of an unclaimed vehicle, a towing company must notify the lien holder.
5. Anyone with a judgement can check the file to see if the defendant has a vehicle that can be attached to satisfy the judgement, or check if a vehicle he is about to repossess has a lien holder.
6. By court ruling, the trustee in a foreclosure must make a diligent effort to obtain the current address of the person being foreclosed on. The motor vehicle file works well for obtaining current addresses, because most people have a vehicle and the registration must be renewed each year so the address is more current than in many other files.
7. Attorneys, investigators, and collection departments use the file for obtaining a current address for witnesses or defendants.
8. Large companies use the file to determine the owner of a vehicle in their parking lot before having the vehicle towed. This way they don't tow away the boss's second car.
9. The volume users of motor vehicle information currently get the motor vehicle file on microfiche and do their look-ups in their own office. This bill will require them to make every request in writing to the motor vehicle department; creating a tremendous increase in employee time and cost.

It is my understanding that the purpose of proposing this bill is to prevent a criminal from obtaining the address of a potential victim through the use of a

license plate number. The standard example being that a rapist can see a girl drive by, write down her license plate number and go to the motor vehicle office to get her address. While this is a situation we would all like to prevent, I doubt that HB272 would have much effect. Even if a motor vehicle clerk determined that the potential rapist at the counter was lying about his reason for needing the address of the vehicle owner or that he had false identification, he would probably find his victim through another means or attack someone else. He probably would not reform on the spot. Money spent on policemen, police dogs, rehabilitation etcetera has got to be a better crime deterrent than money spent on motor vehicle clerks.

The passage of HB272 would probably create more criminal activity rather than less. It would make it harder to locate individuals and attach their property for such criminal activities as bad checks, non-payment of bills, or fraudulent business dealings. It is the attorneys, investigators, banks, and collection agencies that enforce these types of crimes and the motor vehicle file is one of their tools. I feel that the social security number in this file should also be made available. This is the only way to tell you have the right 'Charles Smith.' To attach a person's permanent fund check, you must give the state the person's social security number or birth date. While stealing money with a bad check is not as dramatic as in a robbery or burglary, it still has the same effect and its the civil proceedings rather than the police that are the enforcers.

If the legislature determines that this bill should be passed, I suggest that some of the following changes be made to lessen its impact on the valid users of the file:

1. Rather than make the whole file confidential, just make the license plate number confidential. The file then could not be accessed by plate number, but could still be accessed by owner name or manufacturers serial number.
2. Make provision in the bill that the volume users of the file can apply once a year to the motor vehicle department to be approved for unlimited access to the file on microfiche, magnetic tape, or online computer access such as our Public Information Access System. It seems ridiculous to have a bank or tow company fill out thousands of forms a year only to have a public employee do the work they could have done more efficiently by themselves.

Please call me if you would like a further discussion about this bill. Thank you for consideration of my remarks.

Sincerely,


Robert L. Motznik
President

RLM/vb

cc: PIAS subscribers

OFFICE: (907) 561-2221
907 E. DOWLING ROAD
SUITE #13
MAILING: P.O. BOX 230288
ANCHORAGE, ALASKA 99523-0288



*Armored Car Service
Uniformed Security Officer Service
Insured - Bonded - Licensed*

February 11, 1988

Representative Bette Cato
Chairman
Transportation Committee
House of Representatives
P. O. Box V
Juneau, Alaska 99811

RE: HB 272, relating to Motor Vehicle Records.

Dear Representative Cato:

I am writing this letter to ask you to further consider the impact this bill will have on legitimate business.

I know the belief that this bill will prohibit some types of crime was a motivating factor behind its introduction. If, however, an individual is intent on finding who a person is or where they live, all they have to do is follow them home.

I agree that maybe some control is necessary but I feel that state licensed companies, who perform quasi government service through contracts, should not be prohibited from access to public records.

As an example, we have contracts to provide security for the protection of persons and property with the Port of Anchorage, Anchorage Telephone Utility, Department of Corrections, hospitals and banks. Frequently, this requires us to identify both persons and vehicles for trespassing, illegal parking and suspicious activity related to thefts and assaults. By restricting companies such as mine in this bill you only make it easier for the criminal element while handicapping the honest citizens.

Since we are a state licensed agency and we do in fact, act as an agent of the local, State and Federal Governments through our contracts; I am asking that you at least amend Section 1 (C) to include licensed Security Agencies as being allowed the same access to these records as the agencies with whom we are contractually bound to perform responsibilities in their stead.

Overall I see this bill as a protective blanket for every dead beat in the State and a hindrance to Alaska business.

Your earnest consideration is appreciated.

Sincerely

A handwritten signature in cursive script that reads "Richard L. Burton". The signature is written in dark ink and is positioned above the typed name.

Richard L. Burton (Retired Commissioner of Public Safety)
President

RLBdrb

cc. Anchorage
Chamber Legislative Committee