

IC 9-14-13

Chapter 13. Privacy and Disclosure of Bureau Records

IC 9-14-13-1

Voter registration information

Sec. 1. (a) The bureau may not compile information concerning voter registration under this article.

(b) Voter registration information received or maintained by the bureau is confidential.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-2

Disclosure of certain information

Sec. 2. (a) The bureau shall not disclose:

- (1) the Social Security number;
- (2) the federal identification number;
- (3) the driver's license number;
- (4) the digital image of the driver's license, identification card, or photo exempt identification card applicant;
- (5) a reproduction of the signature secured under IC 9-24-9-1, IC 9-24-16-2, or IC 9-24-16.5-2; or
- (6) medical or disability information;

of any individual except as provided in subsection (b).

(b) The bureau may disclose any information listed in subsection

(a):

- (1) to a law enforcement officer;
- (2) to an agent or a designee of the department of state revenue;
- (3) for uses permitted under IC 9-14-13-7(1), IC 9-14-13-7(4), IC 9-14-13-7(6), and IC 9-14-13-7(9); or
- (4) for voter registration and election purposes required under IC 3-7 or IC 9-24-2.5.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-3

Confidential records related to law enforcement

Sec. 3. (a) If the governor, the superintendent of the state police department, or the highest officer located in Indiana of the Federal Bureau of Investigation, the United States Secret Service, or the United States Treasury Department certifies to the bureau that:

- (1) an individual named in the certification is an officer or employee of a state, county, or city department or bureau with police power;
- (2) the nature of the individual's work or duties is of a secret or confidential nature; and
- (3) in the course of the individual's work the individual uses the motor vehicle described in the certification;

the bureau shall regard all of the bureau's records concerning the certificate of title or certificate of registration of the motor vehicle

and the driver's license of the individual described in the certification as confidential.

(b) The bureau may disclose the records described in subsection (a) only upon one (1) of the following:

- (1) An order of a court with jurisdiction made in a cause or matter pending before the court.
- (2) The written request of the officer, employee, or a successor of the officer or employee making the certification.
- (3) A request of the governor.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-4

Registrants under the International Registration Plan

Sec. 4. (a) The department of state revenue shall adopt rules under IC 4-22-2 providing for the release of a list of registrants under the International Registration Plan.

(b) The list must be limited to the following:

- (1) The name of the registrant.
- (2) The complete address of the registrant.
- (3) The number of Indiana miles, total miles, and number of each type of vehicle registered by the registrant.

(c) The list described in this section is not confidential.

(d) Notwithstanding IC 5-14-3-8, the department of state revenue may charge for a list of registrants under this section an amount that is agreeable to the parties.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-5

Prohibition against disclosure of personal information

Sec. 5. Except as otherwise provided in this chapter:

- (1) an officer or employee of the bureau;
- (2) an officer or employee of the bureau of motor vehicles commission; or
- (3) a contractor of the bureau or the bureau of motor vehicles commission (or an officer or employee of the contractor);

may not knowingly disclose or otherwise make available personal information, including highly restricted personal information.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-6

Disclosure of certain personal information for federal purposes

Sec. 6. Personal information related to:

- (1) motor vehicle or driver safety and theft;
- (2) motor vehicle emissions;
- (3) motor vehicle product alterations, recalls, or advisories;
- (4) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; and
- (5) the removal of nonowner records from the original owner

records of motor vehicle manufacturers; must be disclosed under this chapter to carry out the purposes of the federal Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Anti-Car Theft Act of 1992 (49 U.S.C. 33101 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and all federal regulations enacted or adopted under those acts.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-7

Disclosure of personal information other than highly restricted personal information for certain purposes

Sec. 7. The bureau may disclose certain personal information that is not highly restricted personal information if the person requesting the information provides proof of identity and represents that the use of the personal information will be strictly limited to at least one (1) of the following:

- (1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its functions.
- (2) For use in connection with matters concerning:
 - (A) motor vehicle or driver safety and theft;
 - (B) motor vehicle emissions;
 - (C) motor vehicle product alterations, recalls, or advisories;
 - (D) performance monitoring of motor vehicles, motor vehicle parts, and dealers;
 - (E) motor vehicle market research activities, including survey research;
 - (F) the removal of nonowner records from the original owner records of motor vehicle manufacturers; and
 - (G) motor fuel theft under IC 24-4.6-5.
- (3) For use in the normal course of business by a business or its agents, employees, or contractors, but only:
 - (A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and
 - (B) if information submitted to a business is not correct or is no longer correct, to obtain the correct information only for purposes of preventing fraud by pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
- (4) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court.
- (5) For use in research activities, and for use in producing

statistical reports, as long as the personal information is not published, redisclosed, or used to contact the individuals who are the subject of the personal information.

(6) For use by an insurer, an insurance support organization, or a self-insured entity, or the agents, employees, or contractors of an insurer, an insurance support organization, or a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating, or underwriting.

(7) For use in providing notice to the owners of towed or impounded vehicles.

(8) For use by a licensed private investigative agency or licensed security service for a purpose allowed under this section.

(9) For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. 31131 et seq.).

(10) For use in connection with the operation of private toll transportation facilities.

(11) For any use in response to requests for individual motor vehicle records when the bureau has obtained the written consent of the person to whom the personal information pertains.

(12) For bulk distribution for surveys, marketing, or solicitations when the bureau has obtained the written consent of the person to whom the personal information pertains.

(13) For use by any person, when the person demonstrates, in a form and manner prescribed by the bureau, that written consent has been obtained from the individual who is the subject of the information.

(14) For any other use specifically authorized by law that is related to the operation of a motor vehicle or public safety.

However, this section does not affect the use of anatomical gift information on a person's driver's license or identification document issued by the bureau, nor does this section affect the administration of anatomical gift initiatives in Indiana.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-8

Disclosure of highly restricted personal information

Sec. 8. Highly restricted personal information may be disclosed only as follows:

(1) With the express written consent of the person to whom the highly restricted personal information pertains.

(2) In the absence of the express written consent of the person to whom the highly restricted personal information pertains, if the person requesting the information:

(A) provides proof of identity; and

(B) represents that the use of the highly restricted personal information will be strictly limited to at least one (1) of the uses set forth in section 7(1), 7(4), 7(6), and 7(9) of this chapter.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-9

Conditions for disclosure of personal information

Sec. 9. The bureau may, before disclosing personal information, require the requesting person to satisfy certain conditions for the purpose of ascertaining:

- (1) the correct identity of the requesting person;
- (2) that the use of the disclosed information will be only as authorized; or
- (3) that the consent of the person who is the subject of the information has been obtained.

The conditions may include the making and filing of a written application on a form prescribed by the bureau and containing all information and certification requirements required by the bureau.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-10

Permissible uses of personal information by an authorized recipient

Sec. 10. (a) An authorized recipient of personal information, except a recipient under section 7(11) or 7(12) of this chapter, may resell or redisclose the information for any use allowed under section 7 of this chapter, except for a use under section 7(11) or 7(12) of this chapter.

(b) An authorized recipient of a record under section 7(11) of this chapter may resell or redisclose personal information for any purpose.

(c) An authorized recipient of personal information under IC 9-14-12-8 and section 7(12) of this chapter may resell or redisclose the personal information for use only in accordance with section 7(12) of this chapter.

(d) Except for a recipient under section 7(11) of this chapter, a recipient who resells or rediscloses personal information is required to maintain and make available for inspection to the bureau, upon request, for at least five (5) years, records concerning:

- (1) each person that receives the information; and
- (2) the permitted use for which the information was obtained.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-11

Violation

Sec. 11. A person requesting the disclosure of personal information or highly restricted personal information from bureau

records who knowingly or intentionally misrepresents the person's identity or makes a false statement to the bureau on an application required to be submitted under this chapter commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.193.