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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3554

February 28, 2008

Authored by Simon

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to government data practices; regulating use of driver's license numbers
1.3 and application information; amending Minnesota Statutes 2006, sections
1.4 13.6905, subdivision 2, by adding a subdivision; 168.346, subdivision 1, by
1.5 adding a subdivision; 171.12, subdivision 7, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2006, section 13.6905, subdivision 2, is amended to read:

1.8 Subd. 2. **Vehicle registration application data.** ~~Certain~~ Driver's license numbers
1.9 and other information provided in applications for motor vehicle registrations ~~is~~ are
1.10 governed under section ~~168.10, subdivision~~ 168.346, subdivisions 1 and 1a.

1.11 Sec. 2. Minnesota Statutes 2006, section 13.6905, is amended by adding a subdivision
1.12 to read:

1.13 Subd. 9a. **Driver's license number and application data.** Driver's license numbers
1.14 and information provided in applications for drivers' licenses are governed under section
1.15 171.12, subdivisions 7 and 7a.

1.16 Sec. 3. Minnesota Statutes 2006, section 168.346, subdivision 1, is amended to read:

1.17 Subdivision 1. **Vehicle registration data; federal compliance.** (a) The Department
1.18 of Public Safety shall treat data on an individual provided to register a vehicle ~~shall be~~
1.19 ~~treated, including the driver's license number,~~ as provided by United States Code, title 18,
1.20 section 2721, as in effect on May 23, 2005, and ~~shall be disclosed~~ may disclose that data
1.21 only as required or permitted by that section.

1.22 (b) The registered owner of a vehicle who is an individual may consent in writing to
1.23 the commissioner to disclose the individual's personal information exempted by United

2.1 States Code, title 18, section 2721, to any person who makes a written request for the
2.2 personal information. If the registered owner is an individual and so authorizes disclosure,
2.3 the commissioner shall implement the request.

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

2.7 Sec. 4. Minnesota Statutes 2006, section 168.346, is amended by adding a subdivision
2.8 to read:

2.9 Subd. 1a. **Driver's license number classified as private data on individuals.**

2.10 Except as otherwise provided for the Department of Public Safety under subdivision 1:

2.11 (1) driver's license numbers must be treated as private data on individuals, as defined
2.12 in section 13.02, subdivision 12; and

2.13 (2) data in applications for drivers' licenses provided to a state or local government
2.14 agency must also be treated as private data on individuals if the data is provided by the
2.15 department.

2.16 Sec. 5. Minnesota Statutes 2006, section 171.12, subdivision 7, is amended to read:

2.17 Subd. 7. **Privacy of data.** (a) The department shall treat driver's license numbers
2.18 and data on individuals provided to obtain a driver's license or Minnesota identification
2.19 card ~~shall be treated~~ as provided by United States Code, title 18, section 2721, as in
2.20 effect on May 23, 2005, and ~~shall be disclosed~~ may disclose the numbers or data only as
2.21 required or permitted by that section.

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

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

2.31 (d) An applicant for a driver's license, instruction permit, or Minnesota identification
2.32 card may request that the applicant's residence address be classified as "private data on
2.33 individuals," as defined in section 13.02, subdivision 12. The commissioner shall grant
2.34 the classification on receipt of a signed statement by the individual that the classification

3.1 is required for the safety of the applicant or the applicant's family, if the statement also
3.2 provides a valid, existing address where the applicant consents to receive service of
3.3 process. The commissioner shall use the service for process mailing address in place of the
3.4 residence address in all documents and notices pertaining to the driver's license, instruction
3.5 permit, or Minnesota identification card. The residence address and any information
3.6 provided in the classification request, other than the mailing address, are private data on
3.7 individuals and may be provided to requesting law enforcement agencies, probation and
3.8 parole agencies, and public authorities, as defined in section 518A.26, subdivision 18.

3.9 Sec. 6. Minnesota Statutes 2006, section 171.12, is amended by adding a subdivision
3.10 to read:

3.11 **Subd. 7b. Driver's license number classified as private data on individuals.**

3.12 Except as otherwise provided for the Department of Public Safety under subdivision 7:

3.13 (1) driver's license numbers must be treated as private data on individuals, as defined
3.14 in section 13.02, subdivision 12; and

3.15 (2) data in applications for drivers' licenses provided to a state or local government
3.16 agency must also be treated as private data on individuals if the data is provided by the
3.17 department.