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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 1555

March 12, 2009

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

1.1 A bill for an act
1.2 relating to data practices; classifying electronic licensing data maintained by the
1.3 commissioner of natural resources; amending Minnesota Statutes 2008, section
1.4 13.7931, by adding a subdivision; proposing coding for new law in Minnesota
1.5 Statutes, chapter 84.

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

1.7 Section 1. Minnesota Statutes 2008, section 13.7931, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 6. **Electronic licensing system data.** Data on individuals created, collected,
1.10 stored, or maintained by the department for the purposes of obtaining a noncommercial
1.11 game and fish license, cross-country ski pass, horse trail pass, or snowmobile trail sticker;
1.12 registering a recreational motor vehicle; or any other electronic licensing transaction are
1.13 classified under section 84.0874.

1.14 Sec. 2. **[84.0874] ELECTRONIC LICENSING SYSTEM DATA.**

1.15 (a) The following data created, collected, stored, or maintained by the department
1.16 for purposes of obtaining a noncommercial game and fish license, cross-country ski pass,
1.17 horse trail pass, or snowmobile trail sticker; registering a recreational motor vehicle;
1.18 or any other electronic licensing transaction are private data on individuals as defined
1.19 in section 13.02, subdivision 12: home address, driver's license number, and date of
1.20 birth. The data are accessible and may be released for department business functions and
1.21 natural resources management purposes, including recruitment, retention, and training
1.22 certification and verification.

1.23 (b) Private data on individuals under paragraph (a) may be disclosed as follows:

2.1 (1) for use by any government agency, including a court or law enforcement agency,
2.2 in carrying out its functions, or any private person or entity acting on behalf of a federal,
2.3 state, or local agency in carrying out its functions;

2.4 (2) for use in connection with matters of vehicle or operator safety and theft,
2.5 emissions, product alterations, recalls or advisories, and performance monitoring;

2.6 (3) for use in the normal course of business by a legitimate business or its agents,
2.7 employees, or contractors, in order to verify the accuracy of personal information
2.8 submitted by an individual. If the information as submitted is not correct or is no longer
2.9 correct, correct information may be obtained only for the purpose of preventing fraud
2.10 by, pursuing legal remedies against, or recovering on a debt or security interest against
2.11 the individual. If the person requesting access is acting as the agent of a lienholder, the
2.12 requestor must submit proof of a contract with the lienholder;

2.13 (4) for use in connection with any civil, criminal, administrative, or arbitration
2.14 proceedings in any federal, state, or local court or agency or before any self-regulatory
2.15 body, including service of process, investigation in anticipation of litigation, and the
2.16 execution or enforcement of judgments and orders, or pursuant to an order of a federal,
2.17 state, or local court, provided that the requestor provides a copy of the court order;

2.18 (5) for use in research activities and in producing statistical reports, provided that the
2.19 personal information is not published, redisclosed, or used to contact individuals;

2.20 (6) for use by any insurer or insurance support organization, or by a self-insured
2.21 entity, or its agents, employees, or contractors, in connection with claims investigation
2.22 activities, antifraud activities, rating, or underwriting. If the person requesting access is an
2.23 agent of an insurance company, the requestor must provide the insurance company's name;

2.24 (7) for use in providing notice to the owners of towed or impounded recreational
2.25 vehicles or watercraft. The person requesting access must provide the name, address, and
2.26 telephone number of the entity that requested that the recreational vehicle or watercraft
2.27 be towed;

2.28 (8) for use by any licensed private investigative agency or licensed security service
2.29 for any purpose permitted under this section, provided that the person provides a copy of
2.30 a valid license; and

2.31 (9) for use by any requester with the written consent of the subject of the data.