

SENATE RESOLUTION No. 25

STATE OF NEW JERSEY

INTRODUCED MARCH 7, 1996

By Senators SCHLUTER, McNAMARA, Lynch, Codey, Bennett, Littell, Bassano, Singer, Bryant, Bubba, Ciesla, Kyrillos, Sinagra, Martin, Haines, Gormley, Baer, Connors, Cafiero, Inverso, LaRossa, Kosco, Matheussen, Cardinale, Palaia, Ewing, Lipman, Rice, Zane, McGreevey, MacInnes, Scott, Girgenti, Kenny, Sacco, DiFrancesco, O'Connor, Adler and Lesniak

A SENATE RESOLUTION urging the Department of Transportation to establish safeguards for protecting the privacy of personal information in the files of the Division of Motor Vehicles.

WHEREAS, The Division of Motor Vehicles (DMV) in the Department of Transportation is considering the sale of certain personal information in its driver's license and motor vehicle registration files to direct mail marketers and other commercial interests; and

WHEREAS, The inclusion of a new revenue item of \$11 million in the Governor's FY 1997 recommended budget for the sale of the DMV data base indicates that DMV has been given a "green light" to proceed with the sale of this information; and

WHEREAS, Individuals who provide their names, addresses, dates of birth, social security numbers and other personal information to a governmental agency have every right to expect that this information will be used by the agency solely for official purposes unless they specifically authorize some other use of their personal information; and

WHEREAS, The sale of personal information to direct mail and telephone marketers can only serve to increase the existing torrent of unsolicited "junk mail" and telephone marketing calls that many persons find excessive and repugnant; now, therefore,

BE IT RESOLVED by the Senate of the State of New Jersey:

1. The Senate of the State of New Jersey calls upon the Commissioner of Transportation to direct DMV to protect the privacy of the State's motorists by establishing a procedure to provide for affirmative authorization by an individual before any personal information in his driver's license or vehicle registration file is sold or otherwise released to a third party. An exception may be made for information provided to governmental agencies for use in

1 fulfilling legitimate governmental and law enforcement purposes and for  
2 information on vehicular accidents, driving violations and driver status.

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4 2. A duly authenticated copy of this resolution, signed by the President and  
5 attested by the Secretary, shall be forwarded to the Commissioner of  
6 Transportation.

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# STATEMENT

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11 This Senate resolution calls upon the Commissioner of Transportation to  
12 protect the privacy of the State's motorists by directing the Division of Motor  
13 Vehicles (DMV) to establish a procedure for requiring a motorist's affirmative  
14 authorization prior to the release of any personal information from his driver's  
15 license or motor vehicle registration files. This resolution responds to reports  
16 that DMV is planning to sell the information in its driver's license and vehicle  
17 registration data base to direct mail and telephone marketers and the inclusion  
18 of an \$11 million revenue from this sale in the recommended FY 1997  
19 budget.

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24 Urges Commissioner of Transportation to protect privacy of DMV driver  
25 information.