PURPOSE

To ensure that all employees who work for the Driver and Vehicle Services Division (DVS) and any people who have access to DVS data are informed of Minnesota Statutes and Federal Laws regarding security and confidentiality of division records and to set forth policy relating to these statutes.

Each January, employees will sign the DVS data statement to review their roles and responsibilities in securing DVS data.

All new employees must sign the DVS data statement on their first day of employment.

Once it becomes known that you are employed by this office or have access to this data, it is possible that someone you know may ask you for a “favor” (for example, alter a record, change a tax figure, disclose record information). This policy exists to assist you in responding to those requests with the knowledge that your continued employment depends on your understanding and following the policy.

POLICY

As an Employee of the Department of Public Safety (DPS), you will be working closely with approximately 7 million records, and possibly large sums of money. An important objective of DVS is to ensure that each document is processed properly and completely, with fair, authorized, and confidential access to information.

The following are DVS policies regarding security and confidentiality of data and records that apply to all employees of DVS and any DPS staff who have access to DVS data:

Access to DVS records is granted and authorized only for the purposes of carrying out assigned job duties and functions related to your employment within the DPS.

Access to data is only to be used during work hours and only when necessary to do your job unless authorized by the DVS director.

A. As an employee of the DPS, you are required to read and adhere to the Minnesota Department of Public Safety Administrative Policies. The DPS Policy most closely related to this DVS policy is DPS Policy 5100 - Information Resources Security and Acceptable Use Policy. The main purpose of DPS Policy 5100 is to "set minimum requirements, acceptable uses, and operation guidelines for the handling of information and information resources within the Department of Public Safety (p.1)." Divisions may set policies that are more specific and more stringent than DPS policies and that do not conflict with DPS policies.

B. You shall not disclose or disseminate contents of any DVS records to anyone unless you are authorized to do so. You will know through your training who is authorized and to whom information may be given. Unless you are specifically authorized through training, do not assume you are permitted to disclose information, public or otherwise.
C. Minnesota Statute 168.345 subd. 1 prohibits DVS from providing non-public record information over the telephone except to the personnel of law enforcement agencies; the personnel of governmental vehicle & drivers license offices and authorized agents of DPS.

D. Transactions involving friends or relatives that come to you for processing are to be turned over to a supervisor for processing. Also, you shall not process any transactions for yourself. This includes applications, orders, convictions, and any other type of transaction. If a supervisor is not available, notification will be made to the supervisor detailing the transaction information through e-mail.

E. You shall not check records of friends, relatives or other employees.

F. You shall not tamper with records in any manner. This includes creating or helping others to create a fraudulent representation of a DVS record. You are required to report to your supervisor any instance in which you become aware that records are being tampered with in any manner, including unauthorized issuance of driver’s licenses, license plates, disability permits, or titles. You are also required to report any request by another employee to perform any action prohibited by this policy.

G. Any request for special handling involving any transaction or action such as suspension, revocation, or cancellation of any type of license, permit, or registration pertaining to yourself, a friend, relative, or another employee will be turned over to the supervisor.

H. Minnesota Statutes Section 43A.38 contains public employee ethics provisions which prohibit receipt of compensation, gifts, favors, etc. and prohibits use of information or an employee’s official position for gain.

I. You will be assigned your own personal login identification code(s) and password(s) by the DVS division. Your login identification code(s) and password(s) information must not be shared. If for some reason you suspect someone has obtained your login identification code(s) and password(s) you must notify your supervisor immediately.

J. All record access involving Social Security Number (SSN) information, including SSA (Social Security Administration) verification request information, is monitored electronically and maintained in audit files. These files are reviewed periodically to insure employee compliance with DVS policy as well as applicable state and federal laws.

K. Employees of a government agency are expected to comply with secure document/record disposal policies and laws (MS 138.17):
   - All employees are responsible for secure handling, storage, and disposal of documents containing personal, private, confidential, or restricted information.
   - "Personal Information" is information that identifies an individual, including an individual's photograph, social security number, driver's license number, name, date-of-birth, address, telephone number, and medical or disability information.
   - When working with DVS documents or electronic files that contain personal information, employees must ensure that the document is stored or destroyed in a way that does not reveal personal information to anyone not entitled to see it.
   - DVS requires employees to use secured means when disposing of documents that contain personal or private information. For example, do not throw away driver's license receipts, registration or title information, or record print outs without making sure that the personal information is irretrievable.
• All sensitive documents containing personal information must be disposed of in the proper disposal containers. DVS provides locked disposal bins to ensure secure document destruction and disposal. The contents within these bins are securely shredded and recycled.

**PENALTIES**

**Any employee who violates any of the above provisions or who:**

• Changes or tampers with records

• Discloses information that he/she is not authorized to disclose

• Processes or assists in the processing of a fraudulent or unauthorized certificate of title, registration, permit, driver’s license, identification card, or any other DVS document or license

• Requests another employee to commit any actions prohibited in this policy

• Receives or attempts to receive any advantage in driver’s licensing or motor vehicle registration or titling due to their employment in this office

• Access data from a computer that is not authorized for work purposes

**Can expect to face:**

• Corrective action including counseling and/or job reassignment

• Disciplinary action, up to and including discharge

• Possible criminal prosecution under one or more of the following Minnesota Statutes

  *Section 609.43*, which is punishable by one year imprisonment and $3,000 fine, prohibits misconduct by a public employee

  *Section 609.63*, which is punishable by three years imprisonment and $5,000 fine, includes tampering with or destroying records in the definition of forgery.

  *Section 13.09*, which is a misdemeanor and just cause for suspension without pay or dismissal from public employment, prohibits disclosure of non-public data.

• Possible criminal prosecution under the following Federal Law

  *United States Code, Title 18, Section 2722-2725*, which may includes criminal fines and/or civil action. Remedies the court may impose include:

  1. actual damages, but not less than liquidated damages in the amount of $2,500
  2. punitive damages upon proof of willful or reckless disregard of the law
  3. reasonable attorneys’ fees and other litigation costs reasonably incurred; and
  4. such other preliminary and equitable relief as the court determines to be appropriate

The severity of the action taken will depend on the seriousness of the offense, damages to or liabilities toward DVS and/or our clientele, and any possible criminal liabilities for your actions. Any allegations of violations of this policy will be referred to the Internal Affairs Division for review and possible investigation.

This is called to your attention for your information and protection.