



**Testimony in Support of House Bill No. 2179  
Before the House Committee on Transportation  
Michael Wells  
February 13<sup>th</sup>, 2019**

Chairman Proehl and Members of the House Committee on Transportation:

I am the Associate Director responsible for acquiring motor vehicle and title information in the state of Kansas for R. L. Polk & Co., a wholly owned legal entity of IHS Markit. I am here today to support HB 2179.

R. L. Polk & Co. obtains vehicle title and registration records in all United States and Canadian jurisdictions. This allows us to provide the best service to our customers, and through them to the citizens of Kansas. This amendment provides conformity between state and federal law. R. L. Polk & Co. has partnered with states by obtaining this information since 1922 as we have provided critical services that benefit the state and its residents.

Among the services IHS Markit provides:

- Safety recall and important vehicle advisories
- CARFAX vehicle history reporting (used by consumers and car dealers)
- Market planning for product and parts availability
- Statistical reporting to support automotive dealers and manufacturers
- Support of local, state and federal governments (toll, emissions and law enforcement)

HB 2179 as introduced will align the Kansas state statutes with the Federal Driver's Privacy Protection Act (DPPA), which governs the privacy and use of information obtained from motor vehicle records. Current Kansas law was adopted prior to the Federal DPPA and is substantially similar to the federal law already. This technical amendment would ensure the continuity between the Federal DPPA and the Kansas state statutes, and the majority of other states.

I am pleased to answer any questions.

Thank you for your time and consideration of HB 2179.

Michael Wells



## **The United States Driver's Privacy Protection Act (DPPA), (18 U.S.C. § 2721 et seq.)**

### **What is the Federal DPPA?**

The DPPA became effective in September 1997, and is a federal law enacted to govern and regulate the release and sharing of personal information in driver and vehicle records. Personal information entails names, addresses, social security numbers and driver license numbers which are maintained by Departments of Motor Vehicles (DMVs).

### **Impact and Application of the Federal DPPA**

One of the primary objectives of the DPPA in protecting the personal information, was to eliminate using the personal information for marketing purposes. As such, marketing with the personal information obtained is strictly prohibited.

The Federal DPPA has been adopted by the large majority of states (40+) and has become the framework by which the personal information made available is governed and regulated, when released for legitimate purposes to legitimate entities.

The DPPA regulates the release or use by any state DMV (or any officer, employee, or contractor thereof) of personal information about an individual obtained by the department in connection with a motor vehicle record. It sets penalties for violations and makes violators liable on a civil action to the individual to whom the released information pertains.

By adopting the Federal DPPA the State of Kansas would adopt the consistent governance policies as set forth and adhered to by nearly all states. This ensures consistent language among states, mitigates confusion and unintended consequences.

### **Data Privacy and State Controls**

Ultimately, entities which obtain information from the DMVs are subject to a state agreement, which will outline and can further restrict how the information is used. These state agreements allow each DMV to work closely with businesses to protect their citizens.