

	STANDARD OPERATING PROCEDURE <small>State Form 39870 (R/S-06)</small>	Reference Number LEG-006
	Subject Bureau of Motor Vehicles (BMV) Files	
	Special Instructions Replaces LEG-011 dated January 1, 2012	Effective Date January 15, 2015

I. PURPOSE

Establish guidelines for Department employees to properly access necessary BMV files.

II. POLICY

Department employees shall access the available BMV files as outlined in this procedure. The information obtained is confidential and shall only be released as authorized in this procedure.

III. DEFINITIONS

A. Disclose – To engage in a practice or conduct to make available and make known personal information contained in a motor vehicle record about a person to another person by any means of communication (IC 9-14-3.5-2).

B. Motor Vehicle Record – Any record that pertains to a motor vehicle operator’s license, operator’s permit, vehicle or watercraft title, vehicle or watercraft registration, or an identification document issued by the Bureau of Motor Vehicles (IC 9-14-3.5-4).

C. Person – An individual, organization or entity, but does not include a State or agency thereof.

D. Personal Information – Information that identifies a person, including an individual's:

- (1) Digital photograph or image;
- (2) Social Security number;
- (3) Driver's license or identification document number;
- (4) Name;
- (5) Address (but not the 5-digit zip code);
- (6) Telephone number; or
- (7) Medical or disability information.

The term ‘personal information’ does not include information about vehicular accidents, driving or equipment related violations, and driver's license or registration status.

IV. BMV RECORDS (Use and dissemination of personal information or motor vehicle records)

A. Department employees shall not knowingly disclose or otherwise make available personal information from a BMV motor vehicle record to any other person or entity except as provided in Section B below.

B. Employees of the Department may obtain and disclose personal information from BMV records only as is necessary to carry out the functions of the Department, such as:

1. In connection with matters of motor vehicle or driver safety and theft;
2. By a court or another law enforcement agency in carrying out its functions; or
3. For use in providing notice to the owners of towed or impounded vehicles.

V. **BMV DIGITAL PICTURES** (Requests for):

A. Requests for current digital license photos should be submitted via InterAct Mobile (mobile-data terminal) or requested through the appropriate regional dispatch center (IDACS terminal).

B. Requests for historical pictures/signatures (data available dating back to July 1, 1999) shall be sent to the Criminal Intelligence Unit (CIU) via email (with an established account); fax (on official department letterhead); or in person* (see section D, below) during normal business hours. After hours email requests will be reviewed during the next business day.

C. Emergency requests or requests outside of normal business hours (where a timely return is required) should be sent by email or telephone to the Indiana Intelligence Fusion Center (IIFC) at IIFC@IIFC.in.gov. IIFC requests must be sent via Law Enforcement On-Line (LEO) or from a government email address and shall include the reason for the request.

D. Requests made in person shall require presentation of a proper law enforcement or authorized criminal justice identification (ID).

E. Digital license photos may be emailed to Department personnel; however, **the email shall not contain any personal identifying information**, e.g. name, SS#, date of birth, etc, or any reference to an email that contains personal information about the subject of the photograph.

F. Retrieval records shall be maintained by each regional dispatch center, CIS, and the IIFC as required by state law.

G. The Indiana BMV retrieval system shall never be used for personal use.

VI. **DRIVER'S LICENSE COMPLAINTS** (When Unfit to Operate a Motor Vehicle)

A. Police employees may file driving license complaints against persons who, because of mental or physical infirmity, are unfit to operate a motor vehicle upon the public roadways. Employees may file such complaints as set forth in IC 9-30-4-9 using the following procedure:

1. Employees shall forward, through channels to the Assistant Chief of Staff Operations, all necessary information, in memorandum form, enumerating the charges;
2. List the licensee's name, address, date of birth, driver's license number, and registration plate number;

3. List specific information such as date, place, a summary of an incident or crash, names of other drivers involved, etc.; and

4. All information shall be accurate, notarized, and signed by the employee submitting such information.

B. Upon receipt of notification, the employee initiating the driving license complaint shall attend a BMV hearing on the matter.

VII. CERTIFIED COPIES OF DRIVING RECORDS

A. Obtaining certified copies of driving records.

1. All requests shall be sent by IDACS switched message and shall be sent to (the BMV IDACS address) INBMVAV02 between the hours of 0830-1630 Monday-Friday.

All such requests will include the following information;

- a. Driver's full name and address,
- b. Driver's date of birth and social security number,
- c. Operator's license number,
- d. Date of trial or hearing, and
- e. Complete name, mailing address, and zip code of requesting unit or police agency.

2. Allow a minimum of 10 working days for the preparation and mailing of the certified copy.

3. Regional dispatch personnel receiving requests from other criminal justice agencies must obtain the above information from that agency and submit it in the prescribed format.

B. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.