



“Protecting Your Business”

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Legal Resources

M.V.R. Motor Vehicle Reports 33% Of Applicants Have LIED About Their Driving Records

Motor Vehicle Reports are available in all 50 states. They can directly relate an applicant's personal conduct and level of responsibility. A suspended or revoked license will disqualify an applicant from a position where driving is required.

D.P.P.A.

Drivers Privacy Protection Act

The DPPA safeguards the personal information of licensed drivers from improper use or disclosure. It is a valid exercise of federal authority in that it seeks to protect a fundamental privacy interest. The DPPA requires permission to be obtained from individuals before their personal motor vehicle record may be sold or released to third-party marketers. It restricts the activities of subsequent use or disclosure of the information in a manner unrelated to the original purpose for which the personal information was collected. (see Subscriber Certificate of Use) In addition, records must be kept of each additional disclosure identifying each person or entity that is receiving the disclosure and for what purpose. The disclosure records must be kept for a period of 5 years.

Please review and print the full version of the DPPA at:

www.backgroundresources.com. Also available is the **Subscriber Certificate of Use** & legal authorizations for the following specific states. DE, GA, MI, OH, WA. or contact the U.S. Department of Transportation at: www.dot.gov. Phone: 202-366-4000.



Disposing Of Consumer Report Information

In an effort to protect the privacy of consumer information and reduce the risk of fraud and identity theft, a new federal rule is requiring businesses to take appropriate measures to dispose of sensitive information derived from consumer reports.

Any business or individual who uses a consumer report for a business purpose is subject to the requirements of the Disposal Rule. The Rule requires the proper disposal of information in consumer reports and records to protect against “unauthorized access to or use of the information.” The Federal Trade Commission, the nation’s consumer protection agency, enforces the Disposal Rule.

As an Employer, Landlord, Organization or an individual who obtains a consumer report on prospective nannies, contractors, or tenants, this Disposal Rule specifically pertains to you.

Disposal Rule Continued...

The Disposal Rule requires disposal practices that are reasonable and appropriate to prevent the unauthorized access to – or use of – information in a consumer report.

For example, reasonable measures for disposing of consumer report information could include establishing and complying with policies to:

- burn, pulverize, or shred papers containing consumer report information so that the information cannot be read or reconstructed
- destroy or erase electronic files or media containing consumer report information so that the information cannot be read or reconstructed
- conduct due diligence and hire a document destruction contractor to dispose of material specifically identified as consumer report information consistent with the Rule.

Due diligence could include:

- reviewing an independent audit of a disposal company’s operations and/or its compliance with the Rule
- obtaining information about the disposal company from several references
- requiring that the disposal company be certified by a recognized trade association
- reviewing and evaluating the disposal company’s information security policies or procedures

For more information on the Disposal Rule, please contact the Federal Trade Commission at: www.ftc.gov.