



Motor Vehicle Division Administrative Memo # 23 - 04

Fulfilling Customer Requests for Certified Vehicle Records

DATE: September 16, 2024

FROM: Steven Stonehocker, Records Manager, Motor Vehicle Division

TO: All Motor Vehicle Division staff, Iowa County Treasurers and County Treasurers' staff that provide or certify customer records.

SUBJECT

This memo explains the MVD's policy for providing vehicle records or certifications of records that are received and held solely by the counties. Upon review, the DOT will no longer provide vehicle record certifications for county records. The DOT will only provide certification for records that are received by the DOT or maintained in our system of record, ARTS, or the DOT's ERMS.

EXPLANATION

Iowa counties are responsible for handling the titling, registration, and re-registration of vehicles. Most vehicle records will not be held at all by the DOT. Some documents, such as title applications and/or transfer documents and all documents related to vehicle registration/re-registration remain solely with the counties. The duty to store data under Iowa Code 321.31 makes the Iowa DOT and the Iowa County Treasurers joint custodians of much of the same data. However, Iowa Code does not require Iowa DOT to maintain the physical files or even images of titles or applications, and therefore, not all vehicle-related documents will be contained in an Iowa DOT database or electronic records management system.

Requests to obtain copies of these records are often made to both the counties and to the Iowa DOT. When the requested records are intended for use in litigation, it's common for the requester to ask that the documents be certified. Within the Motor Vehicle Division, the Privacy Team is responsible for fulfilling most requests for motor vehicle records.

Iowa DOT should not provide or certify any data for which it is not the true custodian. If the request is regarding information that is contained in the ARTS or any other DOT database, then DOT may certify it. Iowa DOT staff will no longer be reviewing records requests made to the counties and will no longer be certifying documents that have been solely in county possession.

QUESTIONS AND ANSWERS:

Who will review and approve requests made to Counties?

Leadership at county offices will make that determination. We suggest conferring with your local county attorney.

May counties use the DOT's Privacy Agreement/DPPA form?

To aid your office in fulfilling records requests for vehicle records held solely by your office, we have created a records request form that can be used by any county treasurer. The form includes a spot for your logo, and several places where you can insert your county's name. This form is similar to the one used by the DOT to fulfill records requests, but we encourage you to confirm with your county attorney that this form can be used in your office as county treasurers are individually liable for release of PII under the DPPA.

The template can be accessed on the county treasurer's website at:

<https://iowadot.gov/mvd/ctmanual#520642671-drivers-privacy-and-protection-act>

Who can certify documents for the customers in the county offices?

Proper personnel and procedures would need to be determined by leadership at the county offices.

Is there a procedure in place for the counties to certify documents and/or provide personal identifiable information (PII)?

Proper procedures would need to be identified and determined by leadership at county offices.

Should the county be charging fees for certifying documents?

Any fees charged by county offices would be determined by county leadership.

What is considered a county record?

Any record that is in sole possession of a county. This may include but is not limited to:

- Title and registration application
- Registration Receipt
- Odometer certification forms
- Damage disclosure forms
- Operation of law forms, e.g. abandoned vehicles, possessory lien transfers, decedent vehicle transfers, foreclosure sales, etc.
- Lien notation or lien release documents

What about title and registration applications that are submitted through the Electronic Registration & Title (ERT) system?

When a dealer submits the title and registration through ERT, the materials are uploaded to ARTS and converted to the DOT’s Electronic Records Management System (ERMS) and the DOT becomes the custodian of the records and will be responsible for furnishing ERT documents. However, if the dealer submits the title and registration documents via paper, the county will still be the custodian of those records and will be responsible for providing them when requested.

How will we know if the title and registration applications were submitted through ERT or by paper?

The upper right-hand corner of the title snapshot will display “ERT:” which will indicate either Yes or No. This should not be confused with ‘Electronic’ which indicates whether it is an Electronic Lien & Title.

Title Snapshot

				Regular	
Title No:	Issuing Co.			Electronic:	No
VIN:	Managing Co.		Valid No.	ERT:	Yes
Type:	Year:	Make:	Issue Dt:	Designation:	
Cyl:	Color:	Fuel Type:	Model:	Plate No:	Style:
LP:	GVWR:	ADS Capable:	Weight:	Sq.Ft.	RM:
Odometer:		Cumulative Damage:	Updated:		

What records can the DOT certify?

Iowa DOT should not certify any data for which it is not the true custodian. If the request is regarding information that is contained in the ARTS or any other DOT database, then DOT may certify it. This may include but is not limited to:

- Sanction and Lift notices
- Crash Reports
- Driver’s License Applications
- Title History
- Vehicle Registration inquiry

Where should we direct customers that have vehicle records questions?

Vehicle Services no longer handles requests to obtain vehicle records. Rather, all inquiries should be directed to privacy.agreements@iowadot.us. Please discontinue directing calls regarding vehicle records requests through Vehicle Services at 515-237-3110. All other vehicle related inquiries should still be directed to Vehicle Services.