

Motor Vehicle Division Policy Memo # 22- 04

DPPA Policies and ARTS System Access

DATE: July 15, 2022

FROM: Angel Robinson, Director, System and Administration Bureau

TO: All Motor Vehicle Division Staff, Iowa DOT IT Staff, and County Treasurers

SUBJECT

This policy memo serves to provide clear protocol and implementation policy related to the Iowa Department of Transportation's (Iowa DOT) application of the Driver's Privacy and Protection Act of 1994, 18 U.S.C. §§ 2721-2725, and the corresponding State of Iowa Driver's Privacy and Protection laws found in Iowa Code § 321.11 (collectively referred to as DPPA laws). State and Federal DPPA laws used for ARTS access as well as the granting of access to data, including SSN verification to third party providers and personnel.

This policy memo documents current practices and policies and will be formally effective July 15, 2022.

EXPLANATION

The Iowa DOT serves as the state's stewards of the both the federal and State DPPA laws. To ensure compliance and to protect all personally identifiable information (PII) maintained in the DOT's system of record, ARTS, the following polices, and protocols shall be followed as provided below.

- All DOT ARTS users and County Treasurers will be required to receive DPPA training.
- Iowa DOT Official Form #431069, the Privacy Act Agreement form (found at <https://iowadot.seamlessdocs.com/f/PrivacyActAgreement>), must be completed to access data contained on ARTS or any system of records within the Motor Vehicle Division that contains PII. Form #431069, which is currently in use for making requests to access data, also clarifies our requirements of third- party recipients and their personnel who may have access to our PII data. Review of all privacy agreement forms will be performed by the privacy agreement team. Access agreements are only valid for a two-year period. After two years, the user or organization must reapply for access to the system. If an individual with access leaves the employment of a qualified employer during the two years when access is approved, the organization's security DPPA Contact or approving manager will have the duty to notify the Iowa DOT that access should be revoked.
- Data requested on an ongoing or periodic basis must qualify under one of the data access exceptions and must have a signed memorandum of understanding agreement (MOU) with the Iowa DOT clearly stating the qualifying purpose to access the information sought by the DOT. Agreements are limited to two years. After two years, the agreements will be reviewed to determine if the agreement should be renewed. The MOU shall document and establish that the DPPA qualifying third party organization will have limited use and access to meet DOTs security requirements that define who and how the acquired PII is used. The MOU shall commemorate the DOTs expectations of security roles and responsibilities of those departments. This is traditionally someone in the organization's IT department. New user access requests shall be made via the IT security area of the organization or management to all the requirement of submission via their delegated position(s), as well as document what the DOT requirements are for their internal security training. The third-party organizations would need to provide the DOT with unexecuted copies of their security trainings and security policies, acknowledgements, and rules. This shall be commemorated in the MOU. **No third-party organizations will be allowed have access to SSN verification codes.**
- Agreements for access or report the SSA verification will not be shared with any agency, organization, or party.

- Interdepartmental access to PII will be limited by system access protocols as established by Iowa DOT and IT. All team members that have the ability to change PII in the system of record will be required to pass a one-time post-employment federal background check.

QUESTIONS AND ANSWERS

PRIVACY ACT AGREEMENT/FORM #431069- HOW OFTEN IS THE FORM REVIEWED:

The Privacy Act Agreement, which is used to request online records access via ARTS, single use driver or vehicle records or data for research purposes is reviewed every two (2) years to ensure compliance with current practice and any statutory or regulatory changes enacted since the previous review.

PRIVACY ACT AGREEMENT/FORM #431069 – HOW OFTEN IS THE FORM REVISED:

The Privacy Act Agreement/Form # 431069 is reviewed every six years consistent with the state of Iowa required administrative rule review. It will be revised only if there have been statutory or regulatory changes, or policy or practice changes that necessitate modification of the content of the form. If advisable, user instructions or checklists may be developed or modified on an as needed basis as these are not governed by statute or administrative rule.

PRIVACY ACT AGREEMENT/FORM #431069 – WHEN IS THE MODIFIED FORM PUT INTO USE:

This question only applies to individuals with approved user accounts for ARTS access. Users are approved access for a period of two (2) years from the date on which they sign the privacy agreement. When the Privacy Act Agreement has been revised, users will be required to execute the revised form at their next renewal. For new ARTS access requests, the revised form will be implemented immediately upon approval and publication.

THIRD-PARTY PERSONNEL SECURITY- DO WE ALLOW SSN ACCESS TO THIRD-PARTIES:

We permit access to SSN data for designated users in a limited number of state or government agencies. These users have been determined to have a statutory need for this access to perform their governmental duties. These users are able to access SSN data for purposes of performing a match with data already available to their department. **They are not allowed and will not have access to SSN verification codes.** Any user requesting SSN data for match purposes must have both their need for access and their current employment status verified by their department's designated DPPA Contact Person. Need and verification of continued employment is required at each renewal period to maintain this access. Failure of need or verification of continued employment results in non-renewal of access, or immediate termination of access in the event of job change, change in duties or leaving employment. Departmental DPPA Contact Person(s) must notify us within 24-48 business hours of job classification changes, changes in job duties or termination of employment.

THIRD-PARTY PERSONNEL SECURITY- WHAT DATA ACCESS IS PROVIDED TO EMPLOYEES CONTRACTED VIA THIRD-PARTIES:

The State of Iowa has a contract with CAI (Computer Aid, Inc) to provide IT professionals. The DOT uses the services of CIA and often has a number of CAI professional working on various IT projects. CIA professionals may be assigned to work on programming projects that require access to sensitive data including SSNs and, in some instances, SSN verification codes. CIA professionals are treated as permanent DOT employees and are expected to meet the same qualifications including being fingerprinted and undergoing a federal background check before beginning their work. In addition, they receive the same new employee training on security and sign the same Confidentiality Agreement. The confidentiality agreements are retained by the DOT for 5 years. The DOT retains the ability to reassign the CAI professionals to different projects or to different jobs as needed, thus we retain the

ability to immediately modify their data access as is appropriate. CAI is contractually obligated to notify the DOT of any pending resignations and all data access will be terminated by the DOT at the conclusion of the last work period. In the event that there are concerns about the employee's data access, or should the employee fail to work as scheduled, the DOT will immediately disable data access.

Version Control Number:	Version Date:
Version 1.0	July 15, 2022