

Release of Motor Vehicle Information for Service of Documents: Guide

Any Request for Motor Vehicle Information is subject to strict Alberta legislation that governs the release. For further information, please see the [Access to Motor Vehicle Information Regulation \(AMVIR\)](#), the [Requesting protected motor vehicle data page](#), on the [website](#) of the Registrar of Motor Vehicle Services (“Registrar”).

Under s. 2(1)(m) of AMVIR the Registrar may release Information for court purposes. If you require more information please read the AMVIR Policy, and the Registrar’s Decisions: Notifications on the [Requesting protected motor vehicle data page](#).

The Registrar **may** use two channels to confirm or release the last known address of the Defendant for service of documents:

- Organizations, lawyers, and law firms that require less than 10 motor vehicle information products per year as well as individuals that have filed a claim may enter into a one-time agreement with the Registrar by completing the [AMVIR form A-001 \(REG3458\)](#);
- Organizations, law firms, or lawyers that file numerous claims in court are required to apply for an AMVIR Agreement through the application process described in the [Application for Access to Motor Vehicle Data: Information Sheet](#).

This document describes the release of Information through the first channel presented above.

Service of documents in Alberta:

The service of documents in Alberta is regulated by the [Alberta Rules of Court](#) and the [Provincial Court Act](#). Depending on situation you may use different methods of service and you may have to present different documents to the court. Also, depending on situation you may serve documents in person or you may hire a process server to serve the documents on your behalf. When you are unable to serve documents by one of the authorized methods, you should contact the court office for further instructions.

Before presenting any Request for Information you should first understand the Rules of Court and how these would apply to your specific situation. If you require more information about this process you should consult the [Alberta Courts website](#) and the [Alberta Rules of Court](#) on the Queen’s Printer website.

Specific terms:

The following specific terms are used in this document and in the [AMVIR form A-001 \(REG3458\)](#):

- “Agreement” means a fully completed [AMVIR form A-001 \(REG3458\)](#) that has been initialized, dated, and signed by the Requesting Individual in the office of the registry agent and was accepted for processing by the Authorized Personnel. The Agreement embeds the applicable Policies published on Registrar’s website.
- “Authorization Letter” means a letter written on the letterhead of the Recipient dated and signed by an authorized officer of the Recipient that authorizes the Requesting Individual to sign the Request, to agree with the required fees, and to receive the Information released by the Registrar.
- “Authorized Employee” means Recipient’s employee as defined in Alberta’s Employment Standards Code, R.S.A. 2000, c. E-9 that is authorized in the Authorization Letter to sign the Request, to agree with the required fees, and to receive the Information but does not include: a contractor, consultant, permatemp, agent, or the employees of a Third Party Service Provider (TPSP).
- “Authorized Personnel” means Registry Agent Personnel as defined in the agreement between the Registrar and the registry agent that has been specifically authorized to provide motor vehicle services.
- “Claim” means an active claim properly filed and registered at a court having jurisdiction in Alberta that describes the Plaintiff’s claim against the Defendant.
- “Defendant” means the person against whom the lawsuit is commenced and whose name is provided in the Request and the Claim referred in the Request.
- “Information” means information in the office of the Registrar collected under the authority of the Traffic Safety Act (TSA) and includes but is not restricted to information products to be released to the Recipient and the information collected through the Agreement, the Claim, and the Authorization Letter.
- “Not Found” report means the printed report issued by the Registrar in response to a Request from the Recipient when the Defendant cannot be uniquely identified on Motor Vehicle System (MOVES) or there are errors or conflicts in the information provided in the Request and in the Claim referred in the Request.
- “Plaintiff” means the person who begins the lawsuit, is claiming damages, and whose name is provided in the Request and the Claim referred in the Request.
- “Policies” means the policies, policy directives, pre-approved forms, and user guides related to AMVIR that the Registrar may adopt and publish on the Registrar’s website. Notice of any change in the Policies will be deemed to be given 30 days after it has been published on the Registrar’s website.

- “Recipient” means the person requesting the Registrar to release the Information of the Defendant. The Recipient may be the Plaintiff, a lawyer acting on behalf of the Plaintiff, or a law firm acting on behalf of the Plaintiff.
- “Registrar” means the Service Alberta Registrar of Motor Vehicle Services.
- “Request” means a fully completed [AMVIR form A-001 \(REG3458\)](#) that has been initialized, dated, and signed by the Requesting Individual in the office of the registry agent and in front of the Authorized Personnel. After the Request is verified and accepted by the Authorized Personnel it becomes an Agreement.
- “Requesting Individual” means the individual present in the office of the registry agent that initializes, signs and dates the Request in front of the Authorized Person, and receives the Information released by the Registrar.

How to complete the form?

Before you begin to complete the [AMVIR form A-001 \(REG3458\)](#) please read this document and the general information included with the form. Please remember that the form can be used to request Information in a registry agent office only.

The form is a PDF document that you may complete electronically or manually. However, please **do not** sign, initialize, or date the form. You are required to do this in front of the Authorized Personnel in the registry agent office.

Requesting Individual:

The Requesting Individual that signs the form and receives the Information could be:

1. One of the Plaintiffs listed in the Claim (if the Plaintiff is an individual);
2. An Authorized Employee of the Plaintiff if the Plaintiff is not an individual;
3. A lawyer representing the Plaintiff; or
4. An Authorized Employee of the law firm representing the Plaintiff.

Making a request for release:

To make a request, the Requesting Individual must be physically present in the registry agent office and must:

1. Present a copy of the completed [AMVIR form A-001 \(REG3458\)](#);
2. Present an original copy of the Claim referred in the Request;
3. Present the valid photo ID listed in the Request;
4. Present an Authorization Letter, if the Requesting Individual is an Authorized Employee of the Plaintiff or of the law firm representing the Plaintiff;

5. Initialize the required fields, date, and sign the Request in front of the Authorized Personnel.

What happens in the office of the registry agent?

Identification:

The Authorized Personnel is required to verify identification documents in accordance with the applicable policies, including the valid Photo ID listed in the Request.

Appropriate Claim:

The Authorized Personnel is required to verify that the Claim:

- clearly identifies the Defendant;
- is registered (dated, stamped, and provides the action number) with a court having jurisdiction in Alberta (e.g., an Alberta court or federal court);
- is newer than two years.

By presenting the Claim in the office of a registry agent, the Requesting Individual declares that the Claim is active. However, when the Claim is older than two years, the Requesting Individual has to provide written confirmation from the court that the Claim is still active. This confirmation cannot be older than 30 days.

Document verification and collection:

Before providing service the Authorized Personnel is required to:

- Verify that the Request is fully and correctly completed;
- Verify the ID information in the Request against the photo identification presented;
- Verify against the Claim the court information provided in the Request:
 1. The name of the Defendant;
 2. The name of the Plaintiff;
 3. The Court;
 4. The Action Number;
 5. The date the Claim was filed.
- Initialize the Request to confirm the documents have been verified and are in accordance with the applicable Service Alberta policies;
- Prepare a copy of the Claim;
- Retain the original court confirmation (if the claim is older than two years);

- Retain the original Authorization Letter (if applicable);
- Accept the Request, on behalf of the Registrar;
- Return to the Requesting Individual the original copy of the Claim.

Information required for the search:

Before starting any MOVES search the Authorized Personnel is required to ensure that the following information is available:

- The full name of the Requesting Individual;
- The MOVES ID (MVID) of the Requesting Individual (if applicable);
- The full name of the Recipient, if different from the Requesting Individual;
- The action number as provided in the Claim;
- The full name of the Defendant to be searched;
- A second criterion for the search.

Acceptable second search criterion:

To uniquely identify the Defendant on MOVES the Request must provide two search criteria.

Do not provide more than two search criteria in the Request because this would cost you more (multiple searches would be required for verification), and this would also delay processing. If there would be any conflicts the Authorized Personnel is required to release a “Not Found” report.

The first search criterion must be the full name of the Defendant.

When the Defendant is an individual, the second search criterion could be one of the following:

- The date of birth of the Defendant;
- The current Alberta address of the Defendant;
- A previous Alberta address of the Defendant as of a specific date;
- The VIN of a vehicle currently or previously registered in Alberta to the Defendant as of a specific date;
- A license plate number currently or previously registered in Alberta to the Defendant as of a specific date;
- The Alberta operator licence/identification card number of the Defendant.

When the Defendant is **not** an individual the second search criterion could be one of the following:

- The current Alberta address;
- A previous Alberta address as of a specific date;
- The VIN of a vehicle currently or previously registered in Alberta to the Defendant as of a specific date;
- A license plate number currently or previously registered in Alberta to the Defendant as of a specific date.

Notes:

- The Registrar can confirm or verify Information contained on MOVES from September 1, 1984 to the current date. Consequently, any date used in the second criterion must be a date after September 1, 1984.
- While MOVES may contain Information from other jurisdictions, the Registrar cannot release that Information and cannot establish a consistent process to uniquely identify a person on MOVES using information (vehicle registration, license plate number, or address) from other jurisdictions.

Collection of information

Personal information of the Defendant, Plaintiff, Authorized Employee of the Plaintiff if the Plaintiff is not an individual, lawyer representing the Plaintiff or an Authorized Employee of the law firm representing the Plaintiff is collected under the authority of the Freedom of Information and Protection of Privacy Act (FOIP) for TSA purposes.

Use of the collected information

The information collected by the Authorized Personnel is used to confirm the identity of the Requesting Individual, for agreement management purposes, and to ensure that the Information released is that of the Defendant(s).

The information and documents collected by the Authorized Personnel are exempted under FOIP and may be stored in Registrar's office and/or on MOVES.

Stored Information is used to monitor and audit the release of Information and to conduct investigations when the Registrar receives written complaints related to a specific privacy breach or Request for release.

What fees and charges would apply?

The applicable government fees are established by the Operator Licensing and Vehicle Control Regulation (OLVCR). Before receiving service the Requesting Individual has to pay the applicable government fee for one search and the applicable registry agent charge.

The final government fee will depend on the number of searches required to uniquely identify the Defendant on MOVES, retrieve the required Information, and produce the information product(s) to be released. The Requesting Individual must pay all fees and charges associated to the specific service(s) requested before any Information would be released.

What Information products may be released?

Depending on situation, the Registrar may release the following information products:

- Limited Demographics (LD) search report;
- Confirmation Letter (CL) prepared by the registry agent or by the Motor Vehicle (MV) department;
- “Not Found” report.

A CL is released and charged if a LD search report cannot be released or the release would require further interpretation by the MV department.

A “Not Found” report must be released and charged when the Defendant cannot be uniquely identified on MOVES or if there are errors or conflicts in the information provided in the Agreement and the Claim.

Searches:

The Authorized Personnel will print and release the LD report if:

- the information provided in the Agreement and the Claim does not conflict and permits the unique identification of the Defendant; and
- the LD search report includes an Alberta address.

Uniquely identifying the Defendant on MOVES, retrieving the necessary Information, and producing the appropriate information product to be released may require multiple searches.

Historical searches or customized CLs are provided by the MV department. Producing such CLs requires additional time and would depend on the Information available online, the nature of the second search criterion provided in the Agreement, the address of the Defendant, etc.

Special processing situations:

If the information provided in the Agreement is incorrect or conflicting the Authorized Personnel has to print and release the “Not Found” report.

When the second criterion provided requires multiple searches (e.g., vehicle registration and LD searches), the Authorized Personnel has to charge one search fee for each extra search required. Only the LD search report is released.

When the relevant Information has been archived or further interpretation is required the MV department has to conduct additional searches. Additional search fees will be charged depending on the number of searches required to uniquely identify the Defendant on MOVES.

When the address of the Defendant is not an Alberta address, the Authorized Personnel is required to release a “Not Found” report. Most probable, the Defendant has moved out of Alberta. If the Requesting Individual agrees to be charged for the additional searches required, the MV department may produce and the registry agent would release a CL confirming the jurisdiction where the Defendant has moved.

How the Information may be used?

By completing the [AMVIR form A-001 \(REG3458\)](#), presenting the Claim in the registry agent’s office, initializing, signing, and dating the form in front of the Authorized Personnel you would enter into an Agreement with the Registrar under AMVIR. Through this process you confirm that:

- The Claim is active;
- You have a valid purpose to request the Information under AMVIR (i.e., serving the Defendant with court documents);
- You understand the method of service, the requirements and limitations of service as these would apply to your specific situation;
- You understand that the Information is released only for the purpose of serving court documents or for a use consistent with this purpose:
 1. To verify the address of the Defendant against the last registered address on MOVES;
 2. To serve court documents on the Defendant;
 3. To prove to the court that you have attempted to serve the Defendant at the last known address.
- You agree to serve documents within 60 days of the Information being released by the Registrar. If more than 60 days have passed from the date of the release you agree to make a new Request to ensure the Information is still accurate;
- You agree to destroy the Information released by the Registrar once the purpose has been accomplished;
- You understand that supporting documents related to your Request are archived by the Registrar;
- You understand and agree that you may be contacted by the Registrar related to the use of the Information.

If you decide to use a process server, you will have to confirm with the process server that they have a valid AMVIR Agreement with the Registrar and that they are authorized to receive Information to serve documents on your behalf.

Before transferring Information to a process server they must complete, date, sign and provide to you the [Third Party Recipient Declaration \(TPRD\) - REG3391 Form](#). You are required to keep this form on file for one year after you have destroyed the Information released by the Registrar.

Other court related needs:

Under AMVIR, law firms and lawyers may be entitled to request additional Information for court purposes. Consequently, lawyers and law firms may want to consider applying for an AMVIR Agreement instead of using the release channel described in this document. For further information, please consult the [Requesting protected motor vehicle data page](#), on the [website](#) of the Registrar.