

## Registrar's Decision Notification 03/2020

Access to Motor Vehicle Information Regulation (AMVIR)

To comply with the requirements of *the Access to Motor Vehicle Information Regulation* (AMVIR), AR 140/2003, as amended from time to time, and to provide further clarification with respect to s. 2(1)(m) of AMVIR in Registrar's Decisions Notification 01/2004 (RDN), the Registrar's decision is to amend:

**1. The text in the description of II. Categories of persons and/or organizations, Type I Information, 2(1)(m) of RDN 01/2004 by deleting the following:**

**2(1)(m)**

The Registrar's decision is to **release** personal motor vehicle information on the Registrar's motor vehicle information system, collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles to ensure responsibility and accountability for their actions with respect to motor vehicles only to a person for use in or for the purposes of, a proceeding before a court or quasi-judicial body. For the scope of this purpose the Registrar's decision is to grant access to the following public bodies:

- i) Alberta Agriculture Food and Rural Development,
  - ii) Alberta Securities Commission,
  - iii) Alberta Human Resources and Employment,
  - iv) Alberta Justice,
  - v) Alberta Sustainable Resource Development,
  - vi) Alberta Energy and Utilities Board,
  - vii) Alberta public universities,
  - viii) Alberta public hospitals,
  - ix) Alberta municipalities.
- to
- x) Lawyers (only members of the Bar can have access to personal information in contemplation of a case),
- And to the following persons/organizations provided a court document was maintained on file:
- i) Financial companies (banks, credit unions, business lending, cheque cashing, loan agencies, automotive dealerships and leasing companies that do their own crediting),
  - xi) Canadian government,
  - xii) Canadian municipalities.

As a **walk-in client**, purpose 2(1)(m) applies to any person and/or organization provided it can present a document proving that it has a case in court. The information is released provided documents are presented and maintained on file by the Registry Agent.

**and substituting the following text:**

**2(1)(m)**

**A.** The Registrar's decision is to release personal motor vehicle information on the Registrar's motor vehicle information system, collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles to ensure responsibility and accountability for their actions with respect to motor vehicles only to a person for use in or for the purposes of, a proceeding before a court or quasi-judicial body. For the scope of this purpose, when the information is required in a court having jurisdiction in Alberta, the Registrar's decision is to grant access **to the following categories of persons or organizations:**

**a) :**

- i) A public body as defined under the *Freedom of Information and Protection of Privacy Act*,
- ii) A law enforcement agency, and
- iii) A Canadian Government office,

**b)**

- i) A provincial or territorial government,
- ii) A municipal government,
- iii) A lawyer or law firm in private practice that is in good standing with the Law Society in the relevant Canadian jurisdiction;
- iv) Financial companies (banks, credit unions, business lending, cheque cashing, loan agencies, automotive dealerships, and leasing companies that do their own crediting),
- v) An insurance company licensed in Alberta, and
- vi) A private company providing services in Alberta that is registered in good standing in the Corporate Registry Electronic System (CORES), except a private company described in B,

**subject to the following additional requirements:**

1. the information is required to serve documents for a case filed in a court having jurisdiction in Alberta;
2. the relevant court documents are presented and maintained on file by the client and the Registry Agent; **and**
3. in Registrar's sole discretion, the expected volume would justify issuing an AMVIR Agreement.

**c):**

- i) A lawyer or law firm in private practice that is in good standing with the Law Society of Alberta and requires to confirm specific motor vehicle information in contemplation of a case,

**subject to the following additional requirements:**

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1. if a Statutory Declaration and the relevant documents are presented and maintained on file by the client and where applicable by the Registry Agent; and
2. in Registrar's sole discretion, the expected volume would justify issuing an AMVIR Agreement.

### and d):

- i) A walk-in client that has to serve documents for a case filed in a court having jurisdiction in Alberta

### subject to the following additional requirements:

1. if the client has entered into a onetime agreement with the Registrar using the form A-001 published on Registrar's Website; **and**
2. the relevant court documents are presented and maintained on file by the Registry Agent.

2. **The text in II. Categories of persons and/or organizations, Type I Information, 2(1)(m), B., page 16 of the RDN by deleting "insurance companies" and "accounting companies" so the amended text reads as follows:**

**B.** Under this purpose, the Registrar's decision is to **deny** direct release of personal motor vehicle information collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles to the following categories of persons/organizations that have applied for access under AMVIR:

-Private investigators, insurance investigators, agents to the insurance industry, corporate agencies, collection agencies, civil enforcement agencies, process servers, skip tracers, search houses, search and registry.

## Notification and Review Process

In accordance with s. 4 of AMVIR, on request by a Recipient, identified above, the Registrar's decision is to **release**, on an ongoing basis, the information specified in this notification.

This notification was published on December 21, 2020. Any person may, within sixty days after the date of this publication, ask the Information and Privacy Commissioner (IPC) to review the decision of the Registrar in accordance with Part 5, Division 1.1 of the *Freedom of Information and the Protection of Privacy Act*.

On the publication of this notification, in accordance with s. 4(1) of AMVIR, notice is deemed to have been given for the current and any future releases of the category of information and of the person or category of persons to whom the information is released/or is not released as described in this notification, for the

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purposes of notice under Part 5, Division 1.1 of the *Freedom of Information and Protection of Privacy Act*.