

Registrar's Decisions: Notification (RDN) 02/2020: Image Access (IA)

Access to Motor Vehicle Information Regulation (AMVIR)

This Registrar's Decisions: Notification amends Registrar's Decisions: Notifications 01/2004.

To comply with the requirements of the *Access to Motor Vehicle Information Regulation* (AMVIR), AR 140/2003, as amended, and to further clarify and manage the disclosure of personal information from Alberta's Motor Vehicle System (MOVES), the Registrar of Motor Vehicle Services ("Registrar") decides to add:

I. New Type of Information per Purpose

Type V Information: Digital Photos

For the following purposes included under section 2 of AMVIR, as amended from time to time, the Registrar's decision is to **release** Type V Information, on an ongoing basis, to the persons or categories of persons and/or organizations ("Recipients") identified below. Type V Information is released by the Registrar through Image Access (IA), as MOVES Digital Photos.

The type of information released is limited to the least amount of information necessary for the specified purpose or use by the Recipient. The specific agreements signed with each user govern the package that is accessible for the approved purpose. Different categories of persons and organizations are further limited by the Registrar's published policies specifying what packages can be released for each group under each purpose.

Information Content

Depending on system requirements, information availability, and current policies and procedures, the Registrar can modify the information contained in each package. Any change in information content will be published 60 days in advance on the Registrar's website.

Type V Information that may be released by the Registrar through **MOVES Digital Photos** is grouped as:

- **Driver's Licence Digital Photo;**
 - Digital Photo;
 - MVID;
 - Audit Control Code;
 - MOVES Date of Issue;

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- Date image captured;
- Office Code; and
- Status Code.

- **Identity Card Digital Photo;**
 - Digital Photo;
 - MVID;
 - Audit Control Code;
 - MOVES Date of Issue;
 - Date image captured;
 - Office Code; and
 - Status Code.

The specific Type V Information that is released to each Recipient may depend on the purpose, package, intended use, and nature of the type of business. Depending on the Recipient, the Registrar may release only a subset of the fields listed above.

Purposes

Type V Information may be released only under the following purposes, identified under section 2 of AMVIR:

- **2(1)(c)** The Registrar **may, on request**, release 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, only for any purpose in accordance with an enactment of Alberta or Canada that authorizes or requires the release.

- **2(1)(e)** The Registrar **may, on request**, release 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, only to an officer or employee of a public body, the Registrar, an agent of the Registrar or to a member of the Executive Council, if the information is necessary for the performance of the duties of the officer, employee or member or if the disclosure is necessary for the delivery of a program or service.

- **2(1)(j)(i)** The Registrar **may, on request**, release 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, only to a public body or a law enforcement agency in Canada to assist in an investigation undertaken with a view to a law enforcement proceeding.

II. Categories of persons and/or organizations

The categories of persons and/or organizations that have requested access to Type V Information, and were granted or denied access by the Registrar, are presented below.

Purpose 2(1)(c)

- 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, only for a purpose in accordance with an enactment of Alberta or Canada that authorizes or requires the release. For the scope of this purpose the Registrar's decision is to grant access to:
- Canadian Security Intelligence Service (CSIS).

Purpose 2(1)(e)

- 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, only to an officer or employee of a public body, the Registrar, an agent of the Registrar, or to a member of the Executive Council, if the information is necessary for the performance of the duties of the officer, employee, or member, or if the disclosure is necessary for the delivery of a program or service. For the scope of this purpose, the Registrar's decision is to grant access to specific programs run by a public body. The following programs are authorized to request Type V Information:
- Service Alberta, Provincial Radio Contact Centre;
 - Service Alberta, Consumer Investigations Unit;
 - Alberta Justice and Solicitor General - Fish & Wildlife Program;
 - Alberta Justice and Solicitor General - Alberta Sheriffs and Security Operations Program;
 - Alberta Justice and Solicitor General - Maintenance Enforcement Program (MEP); and
 - Select Alberta Agencies, Boards and Commissions.

Purpose 2(1)(j)(i)

- 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, only to a public body or a law enforcement agency in Canada, to assist in an investigation undertaken with a view to a law enforcement proceeding. For the scope of this purpose, the Registrar's decision is to grant access to:
- Alberta Law Enforcement Agencies;

- Select Canada Law Enforcement Agencies;
 - Alberta Justice and Solicitor General; and
 - Select Special Investigations Units in Government of Alberta.
- 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:
- Alberta municipalities.

Application and Release Processes

Recipients qualifying under the purposes listed above may apply for an AMVIR Agreement by indicating the relevant AMVIR purpose(s), and the specific authority to request Type V Information from the Registrar.

The Recipient must also provide an Image Access Policy that is acceptable to the Registrar, which will be embedded in the terms and conditions of the Recipient's AMVIR Agreement with the Registrar, as required by section 3 of AMVIR.

Recipients that currently have image access under their Direct Access AMVIR Agreement must reapply with the Registrar. If approved by the Registrar, the client will be required to sign a dedicated Image Access Agreement.

Use Restrictions

Digital Photos stored on the Registrar's motor vehicle information system are collected and compiled for identifying licensed operators, and for preventing individuals from obtaining fake identification cards and driver's licenses.

To protect the integrity of the Registrar's motor vehicle information system, Type V Information released by the Registrar is view only.

The Recipient of Type V Information, released by the Registrar, must not capture, store, archive, print, database, transfer, redistribute, process, repurpose, or disclose such information without the specific written authorization of the Registrar.

III. Notification and Review Process

In accordance with section 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 60 days after the date of this publication, ask the Information and Privacy Commissioner to review the decision of the Registrar in accordance with Part 5, Division 1.1 of the *Freedom of Information and Protection of Privacy Act*.

On the publication of this notification, in accordance with section 4(1) of AMVIR, notice is deemed to have been given for the current and future releases of the category of information, and of the person or category of persons to whom the information is released or not released, as described in the notification, for the purposes of notice under Part 5, Division 1.1 of the *Freedom of Information and Protection of Privacy Act*.