

**TITLE 13: DEPARTMENT OF MOTOR VEHICLES**  
**Division 1, Chapter 1**  
**Article 5.0 – Requesting Information from the Department**

**NOTICE IS HEREBY GIVEN**

The Department of Motor Vehicles (department) proposes to amend Sections 350.02, 350.04, 350.10, 350.12, 350.16, 350.18, 350.20, 35.22, 350.24, 350.28, 350.34, 350.36, 350.44, 35.48, 350.50, 350.53, and to repeal Sections 350.52, 350.54 in Article 5.0, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to Government Requester Accounts.

**PUBLIC HEARING**

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

**DEADLINE FOR WRITTEN COMMENTS**

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **March 31, 2025**, the final day of the written comment period, for them to be considered by the department before it adopts the proposed regulation.

**AUTHORITY AND REFERENCE**

The department proposes to adopt/amend/repeal these regulations under the authority granted by Vehicle Code section 1651, to implement, interpret, or make specific Vehicle Code sections 1808.1, 1808.21, 1808.47, 1810, 1810.2, 1810.5, 1810.7 and 1811; and Civil Code section 1798.26.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Vehicle Code section 1810 authorizes the department to permit inspection of information from its records concerning the registration of a vehicle or information from the files of driver's licenses. Vehicle Code section 1810 also allows the department to adopt regulations establishing the process by which a requester provides information to the department that identifies the requester and requires an indication of the reason for which the information is requested. The department issues requester codes for commercial purposes, such as auto auctions, dealers, financial institutions, and process servers. The department also issues governmental requester codes to entities such as the federal, state, city, and county government, including attorneys general, district attorneys, and public defenders. As part of the application process, the requester is also required to implement procedures to ensure the privacy of the information contained in the department's records. Upon verification of the information

provided during the application process, the department issues either a commercial requester code or a government requester code.

Current regulations require applicants for a requester code to complete several documents as part of the overall application process. The department is moving many forms to its internet portal to make the application process more efficient and convenient for applicants.

The current regulation requires commercial requesters to complete a Commercial Requester Account Application, form INF 1106, when applying for a requester code, renewing an account, or when making changes to an existing requester account. The department is moving the application process to its internet portal environment. When these regulations are effective, applicants will log on to their department internet account and will be prompted with each application question. The questions presented in the portal are largely consistent with the information solicited on the form INF 1106, however, since the department will no longer make the INF 1106 available, the department has determined it necessary to move into regulation the information an applicant will be required to provide when completing the online application process.

In addition to the application process, the department is proposing amendments to the following sections:

#### § 350.02. Definitions.

Several non-substantive amendments are made to Section 350.02 and include updating the word "on-line" to "online" and "data base" to "database." These words will also be updated throughout Article 5.0. Additional non-substantive amendments are made throughout the proposed regulations to remove references to "nongovernmental requester" and replace with "commercial requester."

#### § 350.16. Information Required on a Commercial Requester Application for a Requester Code.

Section 350.16 is amended to make clear the application process for a commercial requester will be completed through the department's online portal and updates the information an applicant will be required to provide during the application process.

#### § 350.18. Additional Requirements for a Commercial Requester Application for a Requester Code.

Section 350.18 is updated to require the Commercial Requester Account Agreement to be submitted through the department's internet portal.

#### § 350.20. Certifications Required with Commercial Requester Applications for Access to Residence Address Information.

Section 350.20 is updated to require the Information Services Certification of Agency to be submitted through the department's internet portal.

§ 350.34. Additional Security Requirements for On-Line Online Access.

Section 350.34 is being amended to update the revision date of the Employee Security Statement, form INF 1128.

§ 350.44. Cost of Information.

Section 350.44 is updated to specify that invoices will be paid through an electronic payment method. The fees identified in Section 350.44 are unchanged.

§ 350.47. Requester Code Holder – Electronic Access.

Section 350.47 is the proposed adoption that will require employers within the pull notice program, governmental requesters, and commercial requesters to apply for a requester code or pull notice activation online and requires the electronic exchange of information and payment.

The department is also repealing Section 350.52, related to Refusal, Suspension, or Revocation of Requester Codes, and Section 350.54, related to Temporary Suspension of a Requester Code. These sections were nonoperative in 2000, however, those sections have never been removed from Article 5.0.

## **BENEFITS OF THE PROPOSED REGULATION**

The department anticipates this action will benefit the residents of California by ensuring governmental and commercial entities applying for a requester account have robust procedures in place to ensure the information accessed will be maintained in a secure manner and only by those employees who are authorized to access and review the information.

## **CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS**

The department has conducted a review of other state regulations and has determined there are no other regulations related to government requester accounts for departmental records, therefore, this proposed action is neither inconsistent nor incompatible with other state regulations.

## **COMPARABLE FEDERAL STATUTES OR REGULATIONS**

The department has conducted a search of federal statutes and regulations related to the entities who request access to and information from the department's records and has found there are no existing federal statutes or regulations that govern governmental entities accessing departmental records.

## **DOCUMENTS INCORPORATED BY REFERENCE**

The following document is incorporated by reference:

- Employee Security Statement, Form INF 1128 (Rev. 9/2006)

This form will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the form is readily available to interested parties by contacting the department representative identified below.

## **ECONOMIC AND FISCAL IMPACT DETERMINATIONS**

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This proposed action does not have any costs associated with private persons.
- *Small Business Impact:* This proposed action may impact small businesses. Any impact would be minimal as the amendments only change the method by which information is exchanged in the requester program.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* The department does not anticipate this action will have a significant statewide adverse economic impact on businesses,

including the ability of California businesses to compete with businesses in other states. The amendments only change the method by which information is exchanged in the requester program.

## **RESULTS OF THE ECONOMIC IMPACT STATEMENT**

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has made the initial determination that this action will not impact, 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, 3) the expansion of businesses currently doing business within the State of California, or 4) the health of California residents, worker safety, or the state's environment.

This action streamlines the process by which a requester code account is applied for or renewed. This proposed action is unlikely to impact worker safety, the state's environment, or the health of California residents, however, this action may benefit the welfare of California residents by ensuring the department's records are accessed by entities who have been approved by the department.

## **PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS**

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

## **ALTERNATIVES CONSIDERED**

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## **CONTACT PERSON**

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Specialist  
Department of Motor Vehicles  
Legal Affairs Division  
PO Box 932382, MS C-244

Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 282-7294  
Facsimile: (916) 657-6243  
E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Peggy Gibson, Attorney IV  
Department of Motor Vehicles  
Telephone: (916) 657-6469

#### **AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS**

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons, and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about-the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/>.

#### **AVAILABILITY OF MODIFIED TEXT**

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.