

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: January 14, 2010**

SUBJECT: ADOT Motor Vehicle Division Electronic Data Access Agreement Amendment

SUBMITTING DEPARTMENT: Town Clerk

PREPARED BY: Diane Russell, Town Clerk

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: Electronic Data Access Agreement Amendment

SUMMARY/BACKGROUND: The Town Clerk is tasked with checking the driving records of all Town of Prescott Valley employees annually. Because the Arizona Department of Transportation (ADOT) Motor Vehicle Division has gone strictly to electronic access of those records, each municipality must file an application for access to state records AND sign an agreement with ADOT MVD to do so. Staff requested and received approval to enter an agreement with ADOT for such access at its May 14, 2009 regular meeting. ADOT has now requested that the Town consider amending the agreement under the Data Privacy section to delete paragraph five (5) in its entirety from the agreement requiring departments to contact MVD for their intervention “in the event that a request for the disclosure of confidential and/or personal information” is made as it relates to Arizona Public Records Law ARS §39-101 through 39-161.

OPTIONS ANALYSIS: Mayor and Council may approve the amendment to the agreement and authorize the Mayor to sign the ADOT MVD Amendment to the Agreement or deny either or both actions.

ACTION OPTION: MOTION to approve the Amendment to the ADOT MVD Electronic Data Access Agreement AND authorize the Mayor to sign the amended ADOT MVD Database Access Agreement.

RECOMMENDATION: Staff recommends approving the amended agreement with ADOT MVD and authorizing the Mayor to sign the amended agreement allowing electronic data access to driving records.

FISCAL ANALYSIS: None

REVIEWED BY:

Management Services Director _____ Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____