



Arizona Department of Transportation
Motor Vehicle Division

1801 West Jefferson Street Phoenix, Arizona 85007

Janice K. Brewer
Governor

Stacey K. Stanton
Division Director

John S. Halikowski
Director

December 11, 2009

Town of Prescott Valley
Attn: Harvey C. Skoog
7501 E. Civic Circle
Prescott Valley, AZ 86314

RE: Electronic Database Access Agreement Amendment

Dear Mr. Skoog:

This letter serves to amend the "Data Privacy" section of the Database Access Agreement between Town of Prescott Valley and the Arizona Department of Transportation, Motor Vehicle Division, by deleting paragraph five. In all other respects, the Agency's obligations continue to be governed by the terms and conditions set forth in the current Database Access Agreement.

Data Privacy

The Department understands that both the manner in which MVD may release information from the records contained in its databases and the manner in which the Department may access and/or utilize such information are regulated by the Federal Driver's Privacy Protection Act (DPPA), 18 U.S.C. §§ 2721-2725, as well as Title 28, Chapter 2, Article 5 of the Arizona Revised Statutes. It is the responsibility of the Department, and any authorized user acting on the Department's behalf, to gain knowledge of all laws and applicable MVD policies and procedures which govern access to and use of MVD records, and to determine whether the Department is legally eligible to obtain such records from MVD.

MVD is not an agent of the Department or its subcontractors, and is in no way responsible or liable for the decisions or interpretations made by the Department or its officers, agents, employees, contractors and representatives, unless the contrary is specifically stated in writing by the MVD Director.

Anyone who knowingly obtains, uses or otherwise discloses personal information from an MVD record for a use not permitted under 18 U.S.C. § 2721, and anyone requesting the disclosure of personal information who misrepresents his/her identity or makes a false statement in connection thereto, with the intent to obtain such information in a manner not authorized by law, is subject to civil and/or criminal penalties. A violation of the DPPA or any other applicable federal or state law will cause the immediate termination of this Agreement.

In reference to motor vehicle records access, the Department shall not utilize its connectivity to MVD's records database(s) under this Agreement for any purpose other than the purpose(s) specified in the Addendum to this Agreement. If the Department seeks access to or information from MVD's database(s) for a reason other than that specifically authorized by this Agreement, the Department must submit a completed hard copy of the Motor Vehicle Record Request form to the appropriate MVD Unit.

~~Both parties to this Agreement acknowledge that the foregoing provisions pertaining to data security and privacy are not intended to conflict with or violate Arizona's Public Records Law, A.R.S. § 39-101 through § 39-161. Where such conflicts appear in the implementation of this Agreement by the Department, the Public Records Law will control. In the event that a request for the disclosure of confidential and/or personal information falling~~

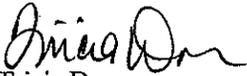
~~within the scope of this Agreement is made, the Department shall notify MVD in sufficient time to permit MVD to intervene as it may deem necessary for the protection of said information.~~

By signing and returning this Electronic Database Access Agreement Amendment, you are indicating that you understand and will fully comply with the aforementioned Amendment. Please forward both copies of this original Amendment to the following address:

Motor Vehicle Division
Electronic Data Services
P.O. Box 2100, 502M
Phoenix, AZ 85001-2100

If you have any questions, please contact us by email at eds@azdot.gov or call us at 602-712-7235.

Sincerely,



Tricia Dan
Supervisor
Electronic Data Services

The foregoing Database Access Agreement Amendment is mutually agreed to:

Motor Vehicle Division

Town of Prescott Valley

Signature

Signature

Brenda Oddy

Harvey C. Skoog

Name Printed

Name Printed

Program Manager

Mayor

Title

Title

Date

Date