



MOTOR VEHICLE DRIVERS LICENSE AND RELATED OFFICES

PRIVACY POLICY STATEMENT

(Including Practices and Principles for Protecting Privacy)

FOR:

State of Hawaii Department of Transportation

City and County of Honolulu
County of Hawaii
County of Maui
County of Kauai

December 12, 2017

Privacy Policy Statement

The privacy of individuals' personal identifiable information (PII) shall be protected and respected in all aspects of the application process, including the issuance, retention, use and disposal of driver or state identification records in accordance with this state's existing privacy statutes, regulations, and directives; and each county's policies and procedures.

PII is defined by the Department of Homeland Security for purposes of the Real ID Act as: "any information that permits the identity of an individual to be directly or indirectly inferred, including any information which is linked or linkable to that individual."

For purposes of the Real ID Security Plan, the State of Hawaii is committed to protecting the privacy and confidentiality of its driver permit or license or state identification card applicant's PII, which if lost, compromised, or disclosed without authorization, could result in the substantial harm, embarrassment, inconvenience, or unfairness to the applicant. ¹

Basis

The Department of Homeland Security (DHS) Privacy Office issued best practices as a guide to assist the States in protecting the privacy of the PII associated with the implementation of the REAL ID Act.

The DHS best practices incorporate standards and practices equivalent to those required under the Privacy Act of 1974 (5 U.S.C. § 552a) and other Federal and State laws that implement the Fair Information Principles, and are a supplement to the protections of the Driver's Privacy Protection Act (DPPA), 18 U.S.C. §2721 *et. seq.*, which the Hawaii Department of Transportation (HDOT), the driver's license offices of the City & County of Honolulu, County of Maui, County of Hawaii and County of Kauai and related offices (Hawaii DMVs), incorporate and affirms as its standards and practices guide.

Practices and Principles for Protecting Privacy:

The HDOT and Hawaii DMVs have agreed to continue to maintain policies and practices that adhere to the following Fair Information Practice Principles (FIPPS):

(1) Transparency Principle.

This principle requires the county driver license and related offices within the State of Hawaii, not to collect PII in secret and to clearly and conspicuously disclose its policies and practices with respect to handling all aspects of the PII held by the county driver license and related offices. Therefore, the agencies will be transparent and provide notice to the individual regarding its collection, use, dissemination, and maintenance of PII.

To this end, each county driver license office and related offices that processes driver permit or licenses or identification cards shall make available for review, a written Privacy Policy Statement at the time of application for a new, duplicate, modified, or renewed REAL ID driver's license or identification card if requested by the applicant.

The Privacy Policy Statement shall also be available to the public on the HDOT and Hawaii DMV office websites, with a clear and prominent link if a separate page is used.

¹ NOTE: This document does not apply to non-compliant credentials (i.e.: limited purpose driver's license) that by designation are not subject to the REAL ID Act and 6 CFR Part 37.

The Hawaii DL and Related Offices Privacy Policy Statement are clear, understandable, and refer to the following:

- i. The elements of PII required to obtain a REAL ID driver's license or identification card:

Driver's Licenses:

Driver's permit and license application requirements are pursuant to HRS §286-111 and HAR Title 19, Subtitle 5, Chapter 122.

The appearance of the driver's permit and license are pursuant to HAR Title 19, Subtitle 5, Chapter 122.

HAR Title 19, Subtitle 5, Chapter 122-24, requires that the driver license permit and license issued shall meet or exceed the driver license and identification card design standards set by the American Association of Motor Vehicle Administrators (AAMVA).

State Identification (ID) Card:

The information requirements for application and supporting documents are pursuant to HRS §286-303 and HAR Title 19, Subtitle 5, Chapter 149.

The appearance of the state identification card is pursuant to HAR Title 19, Subtitle 5, Chapter 149.

HAR Title 19, Subtitle 5, Chapter 149-3.1 requires that the state identification card issued shall meet or exceed the driver's license and identification card design standards set by the AAMVA.

- ii. The following are the Federal and non-Federal information systems, when available, against which the PII provided on the driver or state ID application and in documents presented to the examiner of drivers to obtain a REAL ID driver's permit or license or identification card, will be checked for accuracy:

1) Commercial Driver's License Information System (CDLIS)

Mandated by the Commercial Motor Vehicle Safety Act (CMVSA) of 1986, CDLIS supports the issuance of commercial driver licenses (CDLs) by the jurisdictions, and assists jurisdictions in meeting the goals of the basic tenet "that each driver, nationwide, have only one driver license and one record" through the cooperative exchange of commercial driver information between jurisdictions. CDLIS has operated in all 51 U.S. jurisdictions (50 states and the District of Columbia) since April 1, 1992. As of March 31, 2009, CDLIS had 13.9 million records and growing.

2) Problem Driver Pointer System (PDPS)

The PDPS is used to search the National Driver Register (NDR). This is a repository of information on problem drivers provided by all 51 U.S. jurisdictions. Based on information received as a result of an NDR search, PDPS will "point" the inquiring jurisdiction to the State of Record(s) (SOR), where an individual's driver status and history information is stored. Based on the information received from the SOR(s), the issuing state will decide if the applicant is eligible to receive a new or renew his driver license.

3) Social Security Online Verification (SSOLV)

Hawaii and other state DMVs are now designated by the Social Security Administration (SSA) as authorized to obtain SSN verification information either in batch or online mode. Online support allows a jurisdiction to verify an individual's SSN during the driver's permit or license or identification card issuance or renewal process, while an applicant is still at the counter. Note that the SSA will only verify information transmitted by a state DMV (that is, whether or not the DMV information did or did not match the SSA information); it will not disclose specific contents of its own data fields.

4) Selective Service Registration (SSR)

The SSR application provides an automated means for motor vehicle agencies to transmit information on males who apply for or renew a driver's license, driver's permit or identification card, and who qualify for the Selective Service System (SSS) registration. The application consists of one transaction to SSS from a jurisdiction's motor vehicle agency. SSS returns a confirmation message if all data sent is correct or returns an error message if data is missing or in an incorrect format.

5) Verification of Lawful Status (VLS)

AAMVA's VLS application helps state motor vehicle agencies (MVAs) meet the ever growing demand for effective verification systems to combat document fraud activities. Specifically, VLS is the interface to the Systematic Alien Verification and Entitlement system (SAVE) that allows a state DMV to verify an applicant's lawful status prior to issuing a state-issued driver's license or ID.

The United State Citizenship and Immigration Service (USCIS) operates the SAVE program. The SAVE program is an intergovernmental initiative designed to aid federal, state and local benefit-issuing agencies and licensing bureaus in verifying an applicant's immigration status, thereby allowing the agencies or bureaus to ensure that only eligible applicants receive public benefits. These benefits are to include driver's licenses, permits and identification cards.

6) Electronic Verification of Vital Events Records (EVVER)

The EVVER system provides a means to verify information on a birth certificate presented to a DMV by a driver permit or license or state identification card applicant. EVVER allows a state DMV to send the details on a birth certificate to the National Association for Public Health Statistics and Information Systems (NAPHSIS). NAPHSIS will process the request and route it to the issuing jurisdiction Vital Records Agency which will match these details to their records to verify the data on the birth certificate. The issuing jurisdiction Vital Records Agency responds back to NAPHSIS which processes the response and routes it to the requesting state DMV with the results of the searches. The EVVER system scope is limited to those transactions which occur between the requesting state DMV and NAPHSIS.

7) Digital Image Access Exchange (DIAE) System

Beginning August 24, 2010, the State of Hawaii began a digital image access and exchange program that was designed to deter license fraud and identity theft. All respective Hawaii DMVs are participating in the program. In conjunction with the AAMVA and participating states, the program allows participating states to temporarily view the digital photo image of the driver's permit or license or state identification card to assist state DMVs with a visual verification of the applicant's identity.

8) State to State Verification (S2S)

The S2S verification system is a pre-issuance inquiry-response check that enforces the one driver one record compliance standard. It is designed to not permit an individual to hold more than one REAL ID document, and no more than one driver license, by providing a query system (prior to issuance of a REAL ID driver's license or identification card in this state): 1) to determine if an applicant has previously been issued a driver's license or REAL ID identification card by another state; and 2) confirms if the other state's card has been or is in the process of being terminated.

9) One to Many Fingerprint Matching (OMFM)

The OMFM system provides a means for Hawaii DMV covered employees to verify applicant identity during the processing-issuance of a driver permit, license or identification card. The system was designed to deter license/ID fraud and identity theft. It compares the digital image of the applicant's fingerprint taken during the current processing/issuance (for example: renewals and duplicates) against the fingerprint images contained in the Hawaii DMV database.

10) Facial Recognition

The facial recognition system provides an additional means for Hawaii DMV covered employees to verify applicant identity during the processing-issuance of a driver permit, license or identification card. The system was also designed to deter license/ID fraud and identity theft. It compares the digital image of the previous photograph on file in the applicant's record, against the photograph taken during the current processing/issuance (for example: renewals and duplicates).

iii. Machine-Readable Zone (MRZ)

The **Hawaii driver's license** contains a MRZ on the driver's permit and license card. The MRZ includes mandatory data elements pursuant to the AAMVA DL/ID Card Design Standards (September 2016).

The **Hawaii State ID Card** contains a MRZ on the ID card. The MRZ includes the mandatory data elements pursuant to the AAMVA DL/ID Card Design Standards (September 2016).

Note regarding the MRZ:

1. The information contained in the MRZ is not encrypted and can be read by a third party that runs the credential through a specific type of card reader to facilitate data entry, verification, and reduction of errors.
2. The information contained in the MRZ is the same information printed on the face of the plastic and does not contain any other PII.

iv. The following statute, regulation or directive authorizes the examiner of drivers to collect each element of PII on the:

Hawaii driver's permit/license application card, and display on the driver's permit or license:

- 1) HRS §286-111
- 2) HAR Title 19, Subtitle 5, Chapter 122

Hawaii State Identification application card, and display on the State Identification Card:

- 1) HRS §286-303

2) HAR Title 19, Subtitle 5, Chapter 149

v. The retention period for maintaining the PII of driver license records:

- 1) Applicant demographics and images (including source documents) are retained to meet the minimum requirements pursuant to 6 CFR Subpart C Section 37.31(a) (3).
- 2) If there is a cause to retain the on-line driver record system data for non-CDL drivers, the AAMVA Code Dictionary (ACD) Section 3.2.4 standards are used. These standards are maintained to promote consistency throughout the United States.
- 3) If there is a cause to retain the on-line driver record system data for CDL drivers, the AAMVA Code Dictionary (ACD) Section 3.2.4 standards are used. The standards are intended to meet the requirements of Federal Regulation 49 CFR § 384.231 and § 383.51, relating to the CMVSA of 1986 and the Motor Carrier Safety Improvement Act of 1999 (MCSIA) requiring minimum retention periods for convictions and withdrawals; and to promote consistency throughout the United States.

v. (a) The retention period for maintaining the PII of state identification card records:

- 1) Applicant demographics and images (including source documents) are retained to meet the minimum requirements pursuant to 6 CFR Subpart C Section 37.31(a) (3). Currently it is a minimum of 7-10 years depending on whether the records are paper copies, microfiche, or digital images.

vi. The specific purposes for which the PII is collected include the following:

- 1) To obtain a driver's permit or license or state identification card
- 2) To provide proof and determine identity
- 3) To provide proof and determine name and date of birth
- 4) To provide proof and determine SSN
- 5) To provide proof and determine principal residence address
- 6) To provide proof and determine legal presence and lawful status
- 7) To provide proof and determine eligibility

vii. The following are the foreseeable disclosures of PII to other state DMV's and law enforcement:

- 1) To assist an authorized federal, state DMV or county agency in a reasonable attempt to identify a driver who may have been issued a Hawaii driver's permit or license or state identification card to carry out the agencies' governmental functions.
- 2) Exchange of photos and PII to visually identify a driver license applicant, and thereby assisting federal, state DMV, or county agencies to deter driver permit or license fraud and identity theft as allowed by the DPPA and HAR Title 19, Subtitle 5, Chapter 122.
- 3) Exchange of photos and PII to visually identify a state identification card applicant, and thereby assisting federal, state DMV, or county agencies to deter state identification card fraud and identity theft as allowed by the DPPA and HAR Title 19, Subtitle 5, Chapter 149.
- 4) To assist an authorized law enforcement agency for purposes of investigating and prosecuting any individual who is reasonably believed to have fraudulently attempted to obtain a driver's permit or license or state identification card, or engaged in acts or conduct of a similar nature that constitute a violation of law.

viii. The following are the procedures by which the State will notify individuals of material changes to the information practices of Hawaii's Privacy Policy Statement:

- 1) The HDOT shall post material privacy policy changes on the HDOT website.
- 2) Material privacy policy changes shall also be posted by the respective Hawaii DMVs and related offices' websites.
- 3) Public Service Announcements (PSAs) for material privacy policy changes shall be posted in a newspaper of major circulation, and provided to major radio and television media.
- 4) HDOT shall be the coordinating agency and work with the four county examiner of drivers, and related offices on message content for the PSAs, timing, distribution, and frequency through the various media sources available.
- 5) **NOTE:** PII enumerated in this Privacy Policy Statement is required by Hawaii law or administrative rules in order to obtain a driver's permit or license or state identification card. Any applicant choosing not to provide PII as required (opt-out), shall not be eligible to obtain a Hawaii driver's permit or license or state identification card.

ix. The following describes the right of individuals to review their own PII and to request correction of inaccurate, incomplete, or irrelevant information:

- 1) Applicants for a driver's permit or license or identification card have the right to review (except for certain exemptions described in HRS §92F-22) their own PII with the appropriate County agency pursuant to HRS §92F-23: Access to personal record; initial procedure; where it states: "Upon the request of an individual to gain access to the individual's personal record, an agency shall permit the individual to review the record and have a copy made within ten working days following the date of receipt of the request by the agency unless the personal record requested is exempted under section 92F-22. The ten-day period may be extended for an additional twenty working days if the agency provides to the individual, within the initial ten working days, a written explanation of unusual circumstances causing the delay."

Furthermore, HRS §92F-21: Individual's access to own personal record; states in part: "Each agency that maintains any accessible personal record shall make that record available to the individual to whom it pertains, in a reasonably prompt manner and in a reasonably intelligible form."

The individual may also request to review records maintained by the appropriate County agency via the State Office of Information Practices (OIP), pursuant to HRS §92F-23 and HAR 2-71-11-12.

- 2) Applicants for a driver's permit or license or identification card may request correction of inaccurate, incomplete, or irrelevant information with the appropriate County agency pursuant to HRS §92F-24; Right to correct personal record; initial procedure. Detailed procedures for individuals requesting redress are outlined in Subsection x.

NOTE: The individual requestor should follow applicable County agency procedures when attempting to correct credentialed records.

x. The following state law references procedures for individuals requesting to correct or amend factual errors, misrepresentations, or misleading entries into his or her personal records. Also included is contact information of an official responsible in each of the four counties' driver license offices. The opportunity to correct or amend is available statewide, is straightforward, and should provide prompt and accurate response:

1) Submittal of written request required. Pursuant to HRS §92F-24: Right to correct personal record; initial procedure:

(a) An individual has a right to have any factual error in that person's personal record corrected and any misrepresentation or misleading entry in the record amended by the agency which is responsible for its maintenance.

(b) Within twenty business days after receipt of a written request to correct or amend a personal record and evidence that the personal record contains a factual error, misrepresentation, or misleading entry, an agency shall acknowledge receipt of the request and purported evidence in writing and promptly:

- (1) Make the requested correction or amendment; or
- (2) Inform the individual in writing of its refusal to correct or amend the personal record, the reason for the refusal, and the agency procedures for review of the refusal.

The individual may also request an appeal for the denial of the review of records initially filed with OIP, for records maintained by the appropriate County agency, pursuant to HAR 2-71-11-12 and 2-73, Subchapter 2.

2) Submittal of acceptable documents: Photocopies are **not** acceptable. To ensure review and prompt response, applicants should submit only originals or certified copies of acceptable proof documents supporting the request to correct or amend a driver or identification card record).

3) Contact Information of an official responsible to correct or amend a driver or identification card record in each of the four counties' driver license-state identification office are provided below. Applicants should contact the appropriate office where the driving permit, license or state ID was last processed.

City & County of Honolulu

P.O. Box 30340
Honolulu, Hawaii 96820-0340
(808) 768-9100
Chief Licensing Examiner & Inspector

County of Maui

70 E. Kaahumanu Ave. Ste A-17
Kahului, HI 96732-2176
(808) 270-7363
Assistant Operations Supervisor

County of Hawaii

349 Kapiolani St,
Hilo, Hawaii 96720
(808) 961-2222
Supervising Driver's License Examiner

County of Kauai

4444 Rice St., Ste. A-480

Lihue, Hi 96766
(808) 241-4242
Chief Examiner & Motor Vehicle Inspector

(2) Individual Participation Principle.

This principle requires that an individual has the right to (a) obtain confirmation of whether or not a State has PII relating to him; (b) have access to the PII related to him within a reasonable time, cost, and manner and in a form that is readily intelligible to him; (c) be given an explanation if a request made under (a) and (b) is denied and be able to challenge such denial; and (d) challenge PII relating to him and, if the challenge is successful, to have the data removed, corrected, completed, or amended.

The State of Hawaii has developed for the county examiner of drivers and related offices the Criteria to Request, Examine, Correct, and Appeal Information Contained in the Hawaii Driver and State Identification Records that addresses the above Principle of Participation, and is the statewide procedure promulgated by directive of the State Director of Transportation.

The Criteria to Request, Examine, Correct, and Appeal Information Contained in the Hawaii Driver and State Identification Records satisfies the following:

- i. Demonstrates that the HDOT and Examiner of Drivers have an effective and timely procedures to permit each holder of, or applicant for, a REAL ID driver's permit or license or identification card the opportunity to examine the PII that is on file concerning such permit or license or identification card holder, and to obtain a copy of such information, upon request.
- ii. Demonstrates that the HDOT and Examiner of Drivers have an effective and timely procedure to permit each holder of, or applicant for, a REAL ID driver's permit or license or identification card to request the making of corrections to PII that is on file concerning such permit, or license, or identification card holder and to receive a substantive response to such a request.
- iii. Demonstrates that the HDOT and Examiner of Drivers have a process that will address requests to make corrections or amendments to Hawaii driver license or identification card records and to assist individuals whose applications for a REAL ID driver's permit or license or identification card are denied due to implementation of the REAL ID Act, pursuant to 6 CFR, Part 37 in this state.
- iv. Emphasizes that this criteria and guidelines should not be construed to require the HDOT and Examiner of Drivers to disclose information from the record of a REAL ID driver's permit or license or identification card, or to make corrections or amendments to any such record, where such action or actions would conflict with the objectives of any official law enforcement investigation or administrative or judicial proceeding.

(3) Purpose Specification Principle.

This principle requires that the HDOT and Examiner of Drivers specify at the time of collection the purpose(s) for collecting PII. Notice of such purposes is provided by this Privacy Policy Statement and is available upon request.

Subsequent use of PII shall be limited to the fulfillment of those purposes or such others that are compatible with those purposes stated in this Privacy Policy Statement, unless individuals are given

written notice of the proposed change in use and individuals provide express written consent to its use for such new purpose.

- i. Unless otherwise authorized by law, the HDOT and Examiner of Drivers shall limit its use of PII to the processing and issuance of driver's permit or license and identification cards, implementation of the REAL ID Act regulations, and performance of its official responsibilities pertaining to law enforcement, the verification of personal identity, or highway and motor vehicle safety.

Interstate exchange and verification of driver/ID information:

- a. Unless otherwise authorized by law, the HDOT and Examiner of Drivers shall request and transmit PII related to the implementation of the REAL ID Act to another State only for the purpose of identity verification, and for other related, official DMV purposes such as: Digital Image Access and Exchange System (DIAE is a non-federated authorized DMV user image system used for purposes of: visual identity verification), Commercial Driver's License Information System (CDLIS), Problem Driver Pointer System (PDPS), Social Security Online Verification (SSOLV) Selective Service Registration (SSR), Verification of Lawful Status (VLS), Electronic Verification of Vital Events Records (EVVER), One to Many Fingerprint Matching (OMFM), and State to State Verification (S2S).
- ii. The HDOT and Examiner of Drivers shall inform each individual applicant, including each applicant for renewal of a driver's permit or license or identification card, if requested, that PII in the record of such applicant may be transmitted to other state DMVs and/or law enforcement agencies only if such disclosure is related to the performance of official responsibilities pertaining to law enforcement, the verification of personal identity, highway and motor vehicle safety, or any other official purpose expressly authorized by law.
- iii. The PII contained in the MRZ of the Hawaii driver's permit or license or identification card document is limited to the mandatory data elements visible on the face of the credential, unless the State is authorized or required by State or Federal law to place additional PII in such MRZ.
- iv. As noted in subsection iii above, this Privacy Policy Statement informs each individual applicant for a Hawaii driver's permit or license or identification card, including each applicant for renewal, of the existence of the machine-readable zone (MRZ) on a REAL ID driver's permit or license or identification card and of the types of PII contained therein, and that it is not secure and can be read by any third party that runs the credential through a card reader, unless the information is encrypted.

Hawaii State Law Limiting Scanning and Retention of MRZ

- a. HRS §487J-6 sets limits of third parties, other than official law enforcement officers, to scan and retain the PII stored in the machine-readable zone of Hawaii driver permit or license and identification cards and provides penalties if found in violation.

(4) Minimization Principle.

This principle requires that the HDOT and Examiner of Drivers only collect PII necessary for its official purposes as stated in this Privacy Policy Statement.

In addition, the HDOT and Examiner of Drivers shall only obtain such PII by lawful and fair means and, to the greatest extent possible, with the knowledge or consent of the individual applicant/cardholder.

i. The HDOT and Examiner of Drivers shall collect from each individual applicant/cardholder only the PII specified in the implementing regulations for the REAL ID Act of 2005, unless required or authorized by applicable law to collect one or more additional elements of information.

1. If the HDOT and Examiner of Drivers are required or authorized by applicable law to collect one or more elements of PII not specified in the implementing regulations for the REAL ID Act of 2005, it shall have procedures in place to maintain the confidentiality of such additional information in accordance with these Privacy Guidelines and applicable State laws.

[Refer to: Uniform Information Practices Act (UIPA), HRS 92F; Furnishing of information, HRS §286-172; SSN Protection, HRS 487J; Security Breach of Personal Information, HRS 487N; Destruction of Personal Information Records, HRS 487R; REAL ID Security Plan Guidance Handbook, Appendix C: SSI Training Guidance; City & County of Honolulu General Information Technology Security Policy].

2. The HDOT and Examiner of Drivers upon request shall inform the individual applicant /cardholder, on the driver's permit/license/identification card application form, that the SSN is obtained and used for the purposes of verification of identity and obtaining a driver's permit/license/identification card and will not be disclosed except as expressly authorized by law.

a. The HDOT and Examiner of Drivers upon request shall inform the individual applicant/cardholder that the SSN will not appear on the driver's permit or license or identification card.

b. The HDOT and Examiner of Drivers upon request shall inform the individual applicant/cardholder that the SSN provided on the application and in documentation provided to request a driver permit or license or identification card will be verified against the records of the SSA.

3. With reference to the collection of digitized images, the HDOT and Examiner of Drivers upon request shall inform the individual applicant/cardholder that his or her image will be checked against the images on file with other state DMVs or other verification systems, in order to protect against identity theft, if such a check is conducted.

a. The HDOT and Examiner of Drivers upon request shall inform the individual applicant/cardholder that his or her image may be exchanged with other state DMVs or law enforcement authorities in other jurisdictions but only for the purpose of identity verification and in order to deter fraud and identity theft, if such a check is conducted.

(5) Use Limitation Principle.

This principle requires that the HDOT and Examiner of Drivers shall only use the PII for the purposes and uses originally specified in this Privacy Policy Statement, except (a) with the express consent of the individual applicant or credential holder, or (b) as authorized by law. This includes limiting disclosure of the information to the purposes and uses specified in this Privacy Policy Statement.

- i. As noted in the *Purpose Limitation Principle* above, unless authorized by law, the HDOT and Examiner of Drivers shall **not** disclose PII related to the implementation of the REAL ID Act except to a governmental agency engaged in the performance of official responsibilities pertaining to law enforcement, the verification of personal identity, or highway and motor vehicle safety. (Disclosure to third parties is governed by the DPPA 18 U.S.C. §2721 *et. seq.*, and the UIPA, HRS 92F; Furnishing of information, HRS §286-172; SSN Protection, HRS 487J; Security Breach of Personal Information, HRS 487N; Destruction of Personal Information Records, HRS 487R; REAL ID Security Plan Guidance Handbook, Appendix C: SSI Training Guidance; City & County of Honolulu General Information Technology Security Policy).
- ii. The HDOT and Examiner of Drivers shall not disclose PII to a governmental agency or any authorized third party, unless the requestor has identified the office(s) and the individual(s) that are authorized to obtain such PII.
 - a. The HDOT and Examiner of Drivers shall not disclose PII to a governmental agency or any authorized third party, unless the requestor has provided sufficient information to accurately identify the record that is being sought, in accordance with this state/counties' laws, rules, regulations or written protocols limiting exchange of records.
 - b. The HDOT and Examiner of Drivers shall not disclose PII to a governmental agency or any authorized third party that has not entered into a written agreement with the State unless required by law.
 - c. The HDOT and Examiner of Drivers, pursuant to Hawaii law, are required to notify all affected individuals promptly of incidents of a security breach (unauthorized disclosure, theft, or loss of PII), what steps it will take to prevent further unauthorized access or release of PII, and a telephone number (if one exists) for further information and assistance to affected individuals. There are also provisions addressing social security number protection. Hawaii law further requires reasonable measures to protect against unauthorized access to or use of PII in connection with or after its disposal. [Refer to: HRS 487J; 487N; and 487R].
 - d. The HDOT and Examiner of Drivers shall continue to adhere to the terms and conditions of its agreements with the various Federal agencies for access to the Federal information systems used to verify the data presented to obtain a REAL ID credential.

(6) Data Quality and Integrity Principle.

This principle requires that the PII collected, used, and maintained by the HDOT and Examiner of Drivers be relevant to the purposes for which it is to be used and, to the extent necessary for those purposes, be accurate, relevant, timely and complete.

- i. The HDOT and Examiner of Drivers shall make a reasonable attempt to ensure that the PII used in making a determination about an individual applicant to obtain a REAL ID credential is as accurate, relevant, timely, and complete as reasonably necessary to ensure fairness to the individual in such determination. [Refer to: Transparency Principle collection and retention of driver/state ID information; and the Criteria to Request, Examine, Correct, and Appeal Information Contained in the Hawaii Driver and State Identification Records].
- ii. The HDOT and Examiner of Drivers shall make reasonable efforts to ensure that an individual's driver/state ID record is accurate, relevant, timely and complete for the purpose for which it is being disclosed prior to disseminating any record containing PII about an individual. [Refer to: Transparency Principle collection and retention of driver/state ID information; and the Criteria to Request, Examine, Correct, and Appeal Information Contained in the Hawaii Driver and State Identification Records].

(7) Security Safeguards Principle.

The HDOT and Examiner of Drivers shall strive to meet this principle requiring PII be protected by reasonable security safeguards against loss or unauthorized access, destruction, misuse, modification, or disclosure. [Refer to: Disclosure to third parties governed by the DPPA 18 U.S.C. §2721 *et. seq.*; UIPA, HRS 92F; Furnishing of information, HRS §286-172; SSN Protection, HRS 487J; Security Breach of Personal Information, HRS 487N; Destruction of Personal Information Records, HRS 487R; REAL ID Security Plan Guidance Handbook, Appendix C: SSI Training Guidance; and the City & County of Honolulu General Information Technology Security Policy.]

(8) Accountability and Auditing Principle.

The HDOT and Examiner of Drivers and its covered employees who collect and manage PII, shall, to the extent possible, be held accountable for compliance with the State's privacy laws, including applicable security policies.

In addition, the HDOT and Examiner of Drivers shall be responsible for identifying, training, and holding agency personnel accountable for adhering to agency information quality and privacy policies related to PII on the driver/identification records they access and maintain.

- i. The HDOT and Examiner of Drivers shall be responsible for implementing best practices consistent with applicable Hawaii privacy laws and regulations.
- ii. The HDOT shall report to DHS in a timely manner any negative finding by an auditor regarding privacy compliance issues as part of its tri-annual REAL ID Certification.
- iii. The HDOT and Examiner of Drivers shall ensure that its suppliers and other contractors that handle PII related to the processing or issuance of REAL ID DL/IDs comply with the same privacy and security guidelines that apply to the State of Hawaii and its employees.

Closing Statement.

The HDOT and Examiner of Drivers ensure to the extent reasonably possible, that the privacy of individuals' PII be protected and respected in all aspects of the application process, including the issuance, retention, use and disposal of driver or state identification records in accordance with this state's existing privacy statutes, regulations, and directives; and each county's policies and procedures.

For purposes of the REAL ID Security Plan, the State of Hawaii is committed to protecting the privacy and confidentiality of its driver permit or license or state identification card applicant's PII, which if lost, compromised, or disclosed without authorization, could result in the substantial harm, embarrassment, inconvenience, or unfairness to the applicant.