

COMMONWEALTH OF VIRGINIA

DELEGATE JOE T. MAY, CHAIR
SENATOR STEPHEN D. NEWMAN, VICE CHAIR

MITCHELL P. GOLDSTEIN, EXECUTIVE DIRECTOR
AND CHIEF COUNSEL
LISA WALLMEYER, STAFF ATTORNEY



GENERAL ASSEMBLY BUILDING
910 CAPITOL STREET, SECOND FLOOR
RICHMOND, VIRGINIA 23219
(PHONE) 804-786-3591
(FAX) 804-371-0169
<http://jcots.state.va.us>

JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

ADVISORY COMMITTEE on PRIVACY WEDNESDAY, OCTOBER 6, 2004 at 1:30 p.m. HOUSE ROOM D, GENERAL ASSEMBLY BUILDING RICHMOND, VIRGINIA

Agenda

Objectives: To hear briefings on (1) the use of advanced technologies for verification of identity at DMV, (2) the use of information gathered through black boxes in motor vehicles, and (3) the court clerks' view of privacy for information on court records; to finalize the Committee's recommendations to the Commission.

1:30 p.m. Call to Order
Delegate May, Senator Watkins, Delegate Alexander

1:35 p.m. Roll Call

1:40 p.m. DMV: Verification of Identity Through Use of Advanced Technology
Karen Chappell, Deputy Commissioner for Operations, Dept. of Motor Vehicles

Karen Chappell will discuss the use of biometric technologies to verify identity at the Department of Motor Vehicles.

Use of Information Collected from a Vehicle's "Black Box"
James W. Beamer, on behalf of the Alliance of Automobile Manufacturers

Introduced in the 2004 Session of the General Assembly, HB 697 (Patron-Morgan) would have required manufacturers of motor vehicles to disclose the use of event data recorders in the vehicle's owner's manual. The House Committee on Science and Technology carried over the bill and sent it to JCOTS for further study. Mr. Beamer will discuss the various types of information collected by these "black boxes" and the use of that information.

On August 12, 2004, the Wall Street Journal reported that Progressive Corporation was beginning a pilot program in Minnesota to track how often, how far and how fast people drive. In exchange for reduced rates, the insurer would provide as many as 5,000 volunteers with a matchbox-sized electronic device to be installed in their cars to gather this information. Progressive has stated that it does not plan to share the information with others and will allow drivers to view

their information before deciding whether to submit it. This action raises questions that JCOTS has been discussing: who owns the information and who can access it.

Information on Court Records: The Court Clerks' Point of View

Chip Dicks, on behalf of Virginia Court Clerks Association

Several committees have studied the issue of limiting access to sensitive data (e.g., social security numbers and financial account information) on government records. The court clerks play an active role in this debate because an overwhelming majority of the affected documents are created by or filed with the courts around the Commonwealth. Chip Dicks will present the view of the court clerks in this matter.

Enacted in 2003, § 2.2-3808.2 prohibits court clerks from posting any document that contains (i) an actual signature; (ii) a social security number; (iii) a date of birth identified with a particular person; (iv) the maiden name of a person's parent so as to be identified with a particular person; (v) any financial account number or numbers; or (vi) the name and age of any minor child on a court-controlled website. Remote access to these documents is limited. The provisions expire on July 1, 2005.

Legislative Proposals

1. Guidelines for Legislation Regarding Use of Technology
2. Public Distribution of Social Security Numbers (HB753)
3. Unique Identifying Numbers on Public Records (HB543)
4. Personal Information on Negotiable Instruments
5. Reporting Security Breaches

4:30 p.m. **Adjourn**
Delegate May

Contact: Lola Perkins, DMV Legislative Services, 367-6542
LOLA.PERKINS@dmv.virginia.gov