

**RULES OF DEPARTMENT OF REVENUE  
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10  
MOTOR VEHICLE DIVISION**

**SUBJECT 560-10-2  
TITLE AND REGISTRATION RECORD PROVISIONS**

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**Rule 560-10-2-.01 Definitions**

(1) As used in this Subject, the term:

- (a) “Access” means the ability to view or use motor vehicle records held by the Department regardless of how such records are stored or by what means they are viewed or used.
- (b) “Data agreement” means a contract between the Department and another party establishing the terms of ongoing access to motor vehicle records.
- (c) “Department” means the Georgia Department of Revenue.
- (d) “Motor vehicle records” means all information held by the Department regarding motor vehicle titling and registration, motor vehicle descriptions, motor vehicle owners or lessees, lienholders and security interest holders, and motor vehicle sellers and transferees.
- (e) “Ongoing access” means repeated, continuous, or regular access to motor vehicle records.

Authority: O.C.G.A. §§ 40-2-11, 40-2-130, 40-3-3, 40-3-23, 48-2-12.

**Rule 560-10-2-.02 Access to Motor Vehicle Records in General**

- (1) The Department may, in its discretion, permit persons or entities outside the Department to access motor vehicle records in accordance with O.C.G.A. §§ 40-2-130 and 40-3-23, the Driver’s Privacy Protection Act (“DPPA”) (18 U.S.C. § 2721, *et seq.*), and other provisions of state and federal law. Access to such records must be for a permissible use as defined by the DPPA and state law.
- (2) All persons or entities who wish to gain one-time access to motor vehicle records must submit a request for such access through a form or an online portal provided by the Department for that purpose.
- (3) All persons or entities who wish to gain ongoing access to motor vehicle records must complete an application and enter into a data agreement with the Department pursuant to the provisions of this Subject.

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- (4) If the Department grants access to motor vehicle records pursuant to a legal process including a subpoena, warrant, or non-party request for production of documents, such access shall be limited to the information necessary to respond.

Authority: O.C.G.A. §§ 40-2-11, 40-2-130, 40-3-3, 40-3-23, 48-2-12.

**Rule 560-10-2-.03 Cost of Access to Motor Vehicle Records**

- (1) The cost of access to motor vehicle records shall be determined by the Department.
- (2) Remittance of the amount due to the Department for access to motor vehicle records shall be paid no later than 30 days from the date of the invoice. Failure to pay the total amount due shall be grounds for suspension or termination of access.

Authority: O.C.G.A. §§ 40-2-11, 40-2-130, 40-3-3, 40-3-23, 48-2-12.

**Rule 560-10-2-.04 Application for Ongoing Access to Motor Vehicle Records**

- (1) All persons or entities who wish to enter into a data agreement for ongoing access to motor vehicle records must complete and submit an application on a form designated by the Department.
- (2) If an applicant for ongoing access to motor vehicle records will utilize third-party vendors to handle, process, or develop motor vehicle records, the applicant shall, prior to entering into a data agreement with the Department, disclose the identity of such third-party vendors. Further, if requested by the Department, the applicant shall provide the Department with copies of contracts and other documents pertaining to the applicant's relationship with such vendors.
- (3) The Department may deny an application for ongoing access to motor vehicle records if it contains any untrue, misleading, or omitted statements. Further, the Department may terminate a data agreement if it determines that the application that formed the basis for the data agreement contains any untrue, misleading, or omitted statements.
- (4) The Department may deny an application for ongoing access to motor vehicle records if it determines that granting such access would be contrary to the public interest. In making this determination, the Department may consider any factor that it considers relevant, including whether:
- (a) The applicant's financial standing, membership in trade associations, or commercial reputation makes it unlikely that the applicant will be able to maintain the operation for which it is seeking a data agreement;

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- (b) The applicant, or any person or entity having any interest in any operation for which an application has been submitted, has failed to meet any obligations imposed by the tax laws or other laws or regulations of the State of Georgia;
  - (c) The applicant, if a government entity, lacks statutory authority for the requested access or intends to use motor vehicle records in a manner that is not related to the performance of the applicant's official duties;
  - (d) The applicant intends to use motor vehicle records in a manner that is prohibited by law; or
  - (e) The applicant is unable or unwilling to meet the Department's security requirements for the storage and use of motor vehicle records.
- (5) If the Department denies an application for ongoing access to motor vehicle records, the Department shall notify the applicant of the denial in writing, which shall include electronic mail.

Authority: O.C.G.A. §§ 40-2-11, 40-2-130, 40-3-3, 40-3-23, 48-2-12.

**Rule 560-10-2-.05 Data Agreement for Ongoing Access to Motor Vehicle Records**

- (1) If the Department approves an application for ongoing access to motor vehicle records, the Department shall prepare a data agreement setting forth the terms for such access.
- (2) If an applicant for ongoing access to motor vehicle records does not respond to the Department within 60 days of delivery of the data agreement via electronic mail, the Department may deem the application withdrawn. The applicant may submit a new application if their initial application is deemed withdrawn.
- (3) If a person or entity initiates a relationship with a third-party vendor to handle, process, or develop motor vehicle records after the person or entity has obtained ongoing access to such records, the person or entity shall disclose the existence and identity of such third-party vendor. Further, if requested by the Department, the person or entity shall provide the Department with copies of contracts and other documents pertaining to the person or entity's relationship with such vendor.
- (4) Nongovernmental persons or entities with ongoing access to motor vehicle records shall:
  - (a) Indemnify and hold harmless the State Revenue Commissioner, the Department, the State of Georgia, its departments and agencies, and their respective employees and directors, from any losses, claims, demands, liabilities, or expenses incurred in connection with the use of motor vehicle records; and

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- (b) Maintain appropriate insurance policies, including commercial general liability insurance and cyber insurance policies, in sufficient forms and amounts satisfactory to the Department during the term of the data agreement.
- (5) Government entities with ongoing access to motor vehicle records who engage a third-party vendor to handle, process, or develop motor vehicle records shall require such vendor to:
  - (a) Indemnify and hold harmless the State Revenue Commissioner, the Department, the State of Georgia, its departments and agencies, and their respective employees and directors, from any losses, claims, demands, liabilities, or expenses incurred in connection with the use of motor vehicle records; and
  - (b) Maintain appropriate insurance policies, including commercial general liability insurance and cyber insurance policies, in sufficient forms and amounts satisfactory to the Department during the term of the data agreement.
- (6) All persons or entities with ongoing access to motor vehicle records shall deliver certificates of insurance for all insurance policies required under this Section to the Department upon request.

Authority: O.C.G.A. §§ 40-2-11, 40-2-130, 40-3-3, 40-3-23, 48-2-12.