12 NCAC 04I .0701 is proposed for adoption as follows:

SECTION .0700 – DIVISION OF MOTOR VEHICLE INFORMATION

12 NCAC 04I .0701 DISSEMINATION OF DIVISION OF MOTOR VEHCILES INFORMATION

(a) DMV information obtained from or through DCIN shall not be disseminated to anyone outside those agencies eligible under 12 NCAC 04H .0201(a) unless obtained for the following purposes:

(1) in the decision of issuing permits or licenses if statutory authority stipulates the non-issuance or denial of a permit or license to an individual who is a habitual violator of traffic laws or who has committed certain traffic offenses and those licensing purposes have been authorized by CIIS and the Attorney General's Office;

(2) by governmental agencies to evaluate prospective or current employees for positions involving the operation of publicly owned vehicles; or

(3) by a defendant's attorney of record in accordance with G.S. 15A-141.

(b) Each agency disseminating driver history information to a non-criminal justice agency for any of the purposes listed in Paragraph (a) shall maintain a log of dissemination for one year containing the following information:

(1) date of inquiry for obtaining driver's history;

(2) name of terminal operator;

(3) name of record subject;

(4) driver's license number;

(5) name of individual and agency requesting or receiving information; and

(6) purpose of inquiry.

(c) Driver history information obtained from or through DCIN shall not be released to the individual of the record.

(d) DMV information obtained for any purpose listed in Paragraph (a) of this Rule shall be used for only that official internal purpose and shall not be redisseminated or released for any other purpose.

Authority G.S. 114-10; 114-10.1.