

00:00:00.000 --> 00:00:11.740

Dunn, Debra (DOL)

Already, thank you everyone for joining us today. This meeting is being recorded, if you have just joined us we do have a requirement that we cleared the names of all participants.

00:00:12.810 --> 00:00:18.440

Dunn, Debra (DOL)

As a public agencies so if you could if you haven't already please type your name.

00:00:19.500 --> 00:00:21.600

Dunn, Debra (DOL)

Into the

00:00:22.990 --> 00:00:25.380

Dunn, Debra (DOL)

a chat for us, thank you.

00:00:25.430 --> 00:00:25.740

Dunn, Debra (DOL)

No.

00:00:30.780 --> 00:00:37.890

Dunn, Debra (DOL)

Alright so uh my name is Debbie Den and I am the data sharing program manager for the Department of licensing.

00:00:38.820 --> 00:00:45.950

Dunn, Debra (DOL)

Thank you for coming today, we are so looking forward to hearing your questions and comments concerns even as well.

00:00:46.550 --> 00:00:47.050

Dunn, Debra (DOL)

Uhm.

00:00:48.240 --> 00:01:10.470

Dunn, Debra (DOL)

This is going to be a copy of this recording as well as the recording from yesterday will be available if you want to have a copy of this recording or the one from yesterday. Please submit the request to our group inbox at data contracts at DL dot one.gov.

00:01:11.770 --> 00:01:14.310

Dunn, Debra (DOL)

And we will be sure to get that to you, it's available.

00:01:17.940 --> 00:01:25.950

Dunn, Debra (DOL)

I would like to also introduce some other key players today, Eric would you please introduce yourself?

00:01:28.680 --> 00:01:36.220

Shields, Eric (DOL)

Hi everyone, Eric Shields, the compliance manager here with the data sharing program. You'll be hearing more from you later. Thank you.

00:01:37.040 --> 00:01:38.970

Dunn, Debra (DOL)

Thank you Eric James.

00:01:41.790 --> 00:01:46.230

Messer, James (DOL)

Hi James Messer I'm the contracts, manager in the data management for us.

00:01:47.910 --> 00:02:03.850

Dunn, Debra (DOL)

Thank you. James James is relatively new to our program for those of you who remember Matt Lewin. He is still within our division. He is just starting. A new data stewardship program for our agency and James is our new contracts manager.

00:01:48.400 --> 00:01:49.420

Messer, James (DOL)

Thank you.

00:02:05.540 --> 00:02:09.450

Dunn, Debra (DOL)

And I'm sure you'll be hearing a lot more from him and the.

00:02:10.780 --> 00:02:13.750

Dunn, Debra (DOL)

Years to come and Alex.

00:02:18.000 --> 00:02:24.580

Beaulac, Alex (DOL)

Hello good morning. Everybody I am Alex Bullock. I'm the admin assistant to Fred way the performance and accountability director.

00:02:26.700 --> 00:02:31.940

Dunn, Debra (DOL)

Thank you. Alex Alex is gonna play a key role for us today and capturing all questions and comments.

00:02:33.020 --> 00:02:38.220

Dunn, Debra (DOL)

So that we can develop a frequently asked question.

00:02:38.960 --> 00:02:40.480

Dunn, Debra (DOL)

And send it out to you.

00:02:40.530 --> 00:02:41.920

Dunn, Debra (DOL)

To come.

00:02:43.370 --> 00:02:52.370

Dunn, Debra (DOL)

That would include responses from comments questions that we received in yesterday's webinar. Today's webinar and anything that's submitted to our group in my inbox is.

00:02:53.810 --> 00:03:11.380

Dunn, Debra (DOL)

Our agenda today, we've already gone through welcome and introductions, but we will go over also brief well. I should probably should introduce my cat. I've tried to get rid of her a few Times Now and she just keeps jumping absolute. She seems to just settle down here. So hopefully, she won't be too disruptive.

00:03:12.630 --> 00:03:27.660

Dunn, Debra (DOL)

Oh, I made it offended or OK, so we'll give a short discussion of rulemaking in Washington, known as Washington administrative codes or wax. We'll talk about at a high level, the contract template.

00:03:28.320 --> 00:03:31.940

Dunn, Debra (DOL)

And uh included in that just changes.

00:03:32.550 --> 00:03:38.680

Dunn, Debra (DOL)

Uh to the compliance documents we will spend the bulk of their time on.

00:03:39.390 --> 00:03:42.960

Dunn, Debra (DOL)

Uh allowing questions and answers.

00:03:43.680 --> 00:03:46.730

Dunn, Debra (DOL)

And then James will have some closing comments.

00:03:47.660 --> 00:03:51.510

Dunn, Debra (DOL)

Uhm, including next steps and that kind of thing.

00:03:54.750 --> 00:04:03.300

Dunn, Debra (DOL)

Eric can we go on to the necklace year. Thank you so this all started with substitute House Bill 5152.

00:04:04.100 --> 00:04:13.730

Dunn, Debra (DOL)

It created a couple of new statutes for us. It's specific to the Department of licensing and the the main one is is 4622.

00:04:14.500 --> 00:04:18.320

Dunn, Debra (DOL)

010 and then there's a few others.

00:04:18.820 --> 00:04:19.500

Dunn, Debra (DOL)

Uhm.

00:04:20.280 --> 00:04:25.680

Dunn, Debra (DOL)

And with definitions. I would encourage you if you haven't already to go out and look at these new statutes or the bill.

00:04:26.630 --> 00:04:34.710

Dunn, Debra (DOL)

Uh it also updates some of our permissible uses and other statutes as well so be aware of that.

00:04:35.420 --> 00:04:36.010

Dunn, Debra (DOL)

Uhm.

00:04:37.270 --> 00:04:38.500

Dunn, Debra (DOL)

Let's see what else.

00:04:40.720 --> 00:04:41.980

Dunn, Debra (DOL)

The UM.

00:04:45.290 --> 00:04:58.950

Dunn, Debra (DOL)

The bill itself does have some requirements for DOL when contracting for data and it also gives deal well the authority to.

00:04:59.060 --> 00:05:15.590

Dunn, Debra (DOL)

Uh make other contract requirements as needed, and so that's kind of precipitated the update to our contract template as well as the rulemaking process that we are currently in the law actually went into effect in July.

00:05:16.740 --> 00:05:25.610

Dunn, Debra (DOL)

But we are anticipating that both the administrative rules or wax and the new contracts will be effective.

00:05:26.290 --> 00:05:40.530

Dunn, Debra (DOL)

Come November first if everything goes smoothly and so this is the first time we've actually gotten stakeholder input. We've never done rulemaking before related to our data sharing so.

00:05:40.580 --> 00:05:40.810

Dunn, Debra (DOL)

So.

00:05:42.720 --> 00:05:45.630

Dunn, Debra (DOL)

The the stakeholder input is a.

00:05:46.670 --> 00:05:47.610

Dunn, Debra (DOL)

Built in

00:05:48.540 --> 00:05:53.580

Dunn, Debra (DOL)

processes to our rulemaking, but this is also the first time that we've gotten this broad.

00:05:53.640 --> 00:05:58.720

Dunn, Debra (DOL)

Yeah, stakeholder input on our contract template so.

00:06:00.420 --> 00:06:04.150

Dunn, Debra (DOL)

We're really kind of exciting to excited to do that.

00:06:06.350 --> 00:06:17.740

Dunn, Debra (DOL)

We're asking you to refer to the wax document that we sent out as well as the contract template for all the major changes the contract itself had a major rewrite.

00:06:18.710 --> 00:06:32.180

Dunn, Debra (DOL)

And although a lot of the requirements are the intent of the requirements didn't actually change for your feedback. We're asking that you provide us feedback on.

00:06:32.900 --> 00:06:58.520

Dunn, Debra (DOL)

Clarity that you might need some questions that we didn't answer or address in the contract or whack or if it seems like one of the requirements for example, is overly burdensome or something like that. We ask that you provide us at feedback when you do, especially when you send it to our group email box please.

00:06:59.260 --> 00:06:59.950

Dunn, Debra (DOL)

Uhm.

00:07:01.400 --> 00:07:11.470

Dunn, Debra (DOL)

Provide the section number and claws if you are proposing alternative language that would be helpful help us understand your position.

00:07:12.440 --> 00:07:27.830

Dunn, Debra (DOL)

Uh and likewise we hope that you will understand try to understand our position in those documents that we provided we did. There's a table for each one saying in the right hand column? What our intent was for that clause.

00:07:28.480 --> 00:07:39.830

Dunn, Debra (DOL)

Uh we are trying to balance the UM privacy and the protection of our residents personal information with business needs and it's uh.

00:07:40.320 --> 00:07:50.070

Dunn, Debra (DOL)

A delicate balancing act and so your information that you provide us to help us understand your position.

00:07:50.760 --> 00:08:10.400

Dunn, Debra (DOL)

Uh why perhaps that what we're requiring is not feasible or feasible on the time frame. That kind of thing, so that we can try to be responsive to that as well. We realize that deal or Washington state is probably.

00:08:10.880 --> 00:08:25.350

Dunn, Debra (DOL)

Come in a lot of instances ahead of other states on requiring data security audits and permissible use audits that type of thing and so we're already. I think more burdensome than some other states.

00:08:25.850 --> 00:08:30.210

Dunn, Debra (DOL)

I'm still trying to do that balance so thank you.

00:08:30.850 --> 00:08:37.480

Dunn, Debra (DOL)

And as a result of this these webinars and the questions that we receive.

00:08:38.390 --> 00:08:48.250

Dunn, Debra (DOL)

And in our group Inboxes. We will be developing a frequently asked question and distributing that out, and as updates.

00:08:49.120 --> 00:09:02.210

Dunn, Debra (DOL)

Come out, we will be distributing those they will be distributed to contract managers and 24. East services to the administrator of the of the account.

00:09:07.330 --> 00:09:09.790

Dunn, Debra (DOL)

Eric I think we can go on to the next slide.

00:09:11.810 --> 00:09:12.630

Dunn, Debra (DOL)

So.

00:09:15.370 --> 00:09:16.450

Dunn, Debra (DOL)

Generally.

00:09:17.080 --> 00:09:19.930

Dunn, Debra (DOL)

Uh for rulemaking we've got the law.

00:09:20.690 --> 00:09:49.960

Dunn, Debra (DOL)

Uh, which the Legislature passes of course, then the agencies are giving rulemaking authority and we use the rule, making authority to codify and kind of fill in the gaps to help implement the law and at a high level identify the processes and procedures for which DL will share protected personal information that is a new term and I will go over that here in a minute.

00:09:50.950 --> 00:09:58.140

Dunn, Debra (DOL)

And so as it relates to our legislation substitute Bill 5152.

00:09:59.170 --> 00:09:59.840

Dunn, Debra (DOL)

Uh.

00:10:00.460 --> 00:10:01.290

Dunn, Debra (DOL)

Please.

00:10:02.100 --> 00:10:14.590

Dunn, Debra (DOL)

Uhm again referred to that material of and the wax that we provided you of the sections. There are some sections pertaining to those who get data directly from us.

00:10:15.280 --> 00:10:22.760

Dunn, Debra (DOL)

And their requirements to Cascade down contract requirements if you are passing on data etc.

00:10:27.880 --> 00:10:28.990

Dunn, Debra (DOL)

Next, thank you.

00:10:30.080 --> 00:10:36.770

Dunn, Debra (DOL)

There are a couple of things in the WAC, that I do kind of want to go over 'cause. They're a little bit confusing.

00:10:37.370 --> 00:10:43.990

Dunn, Debra (DOL)

I think maybe for those of those are just used to the contract. We have 21 definitions. I believe it is in the back right now.

00:10:45.790 --> 00:10:59.470

Dunn, Debra (DOL)

We put them in Wack instead of contracts, so that we have consistency across every contract. Everybody speaking in the same language and at times. We've had people trying to negotiate different terms that kind of thing.

00:11:01.050 --> 00:11:05.270

Dunn, Debra (DOL)

But it's really important that everybody is playing on the same playing field.

00:11:06.760 --> 00:11:21.050

Dunn, Debra (DOL)

That part of the definitions is the term protected personal information. I believe there's definitions for both personal information and identity information. In fact, they identity information. I believe is in the GCW now.

00:11:22.110 --> 00:11:30.960

Dunn, Debra (DOL)

And so our term protected personal information is the combination of both it means both of those things together.

00:11:33.440 --> 00:11:37.210

Dunn, Debra (DOL)

And it just makes it a little easier in the.

00:11:38.340 --> 00:11:41.220

Dunn, Debra (DOL)

End the contract just to say.

00:11:42.010 --> 00:11:46.440

Dunn, Debra (DOL)

Protected personal information instead of personal information and identity information so.

00:11:47.560 --> 00:11:52.330

Dunn, Debra (DOL)

I'm just trying to streamline things a little bit. We do have a new term customer.

00:11:53.170 --> 00:11:54.470

Dunn, Debra (DOL)

Uh we

00:11:55.630 --> 00:12:10.390

Dunn, Debra (DOL)

many of you were probably already used to the term sub recipient those are the folks who get the data handed over to them. So we might have like a data broker who gives the data to a sub recipient.

00:12:12.100 --> 00:12:14.920

Dunn, Debra (DOL)

And then the sub recipient processes the data.

00:12:15.570 --> 00:12:19.260

Dunn, Debra (DOL)

We do have some scenarios where the recipient.

00:12:20.320 --> 00:12:26.310

Dunn, Debra (DOL)

Request the data on behalf of for example, a city for parking.

00:12:27.080 --> 00:12:27.770

Dunn, Debra (DOL)

Uhm.

00:12:28.550 --> 00:12:38.960

Dunn, Debra (DOL)

Enforcement but that company does not give the personal information to that jurisdiction or the municipality, they keep it and they process it on their behalf.

00:12:39.650 --> 00:12:44.120

Dunn, Debra (DOL)

So the reason we're asking we've included the term customer.

00:12:44.650 --> 00:12:58.780

Dunn, Debra (DOL)

Uhm as those who get the benefit of the processing of the data but don't actually get the data is because we feel like our customers have a right to know our residents have a right to know.

00:13:00.040 --> 00:13:14.740

Dunn, Debra (DOL)

Who's getting their data and what it is being used for and so you'll see our new requirement along with our sub recipient list that we will also be asking who are the customers are that are benefiting from the processing of their data.

00:13:17.100 --> 00:13:22.810

Dunn, Debra (DOL)

Come with this, let me also explain just before I move on to this chart here.

00:13:23.280 --> 00:13:25.180

Dunn, Debra (DOL)

Come with the legislation.

00:13:26.210 --> 00:13:29.750

Dunn, Debra (DOL)

Previously, the law allowed for an agent.

00:13:31.310 --> 00:13:39.700

Dunn, Debra (DOL)

Now we can allow multiple agents and we've kind of already used that as a practice but now he could legally do it? Yeah.

00:13:40.730 --> 00:13:48.880

Dunn, Debra (DOL)

But so this scenario might be bobs pizza hires and employment agency to come.

00:13:49.560 --> 00:14:05.220

Dunn, Debra (DOL)

Hire and manage their drivers that would be a first agent and then that agent that employment agency turns around and uses a data broker to pull the record on their behalf that would be a second agent.

00:14:06.160 --> 00:14:07.510

Dunn, Debra (DOL)

And so uhm.

00:14:08.890 --> 00:14:14.330

Dunn, Debra (DOL)

So we allowing for that cascading of down through very agent various agents.

00:14:15.240 --> 00:14:19.790

Dunn, Debra (DOL)

So recipient has meant always come.

00:14:20.420 --> 00:14:47.270

Dunn, Debra (DOL)

That, it is the entity that gets the data directly from DOL. It could stop right there. They take it. They process it for themselves. Many of our E services customers are that and by E services. I mean, our daps. Diaz contracted plates surge driver record request abandoned vehicle reporting. Those these services where you log directly into DL system and request, the data.

00:14:48.410 --> 00:14:56.310

Dunn, Debra (DOL)

And many of those are recipients and that's it or requests or because the request. There can be it so uh recipient could be both.

00:14:57.460 --> 00:14:58.810

Dunn, Debra (DOL)

Uh and agent.

00:14:59.410 --> 00:15:00.430

Dunn, Debra (DOL)

And the requester.

00:15:01.760 --> 00:15:05.760

Dunn, Debra (DOL)

Subrecipients those who get the data passed down to them.

00:15:06.620 --> 00:15:12.240

Dunn, Debra (DOL)

Uh it as it Cascades down can be an agent. They could also be the request are so it stops there.

00:15:14.270 --> 00:15:17.560

Dunn, Debra (DOL)

Agents can be recipients and subrecipients.

00:15:19.410 --> 00:15:26.110

Dunn, Debra (DOL)

But the not necessarily not a requester because an agent is an acting on behalf of the requester.

00:15:27.390 --> 00:15:34.640

Dunn, Debra (DOL)

And the request here is the person who basically has the permissible use for the data for the company that has the basic.

00:15:35.270 --> 00:15:48.710

Dunn, Debra (DOL)

Permissible use so that the request originates basically with them. It can be an agent. It can be a sub recipient and it can be a sub recipient, it's a little confusing but, hopefully this.

00:15:50.490 --> 00:15:58.710

Dunn, Debra (DOL)

Little chart will help you as you read the contract and our draft wax to kind of understand the nuances.

00:16:06.670 --> 00:16:07.340

Dunn, Debra (DOL)

OK.

00:16:08.470 --> 00:16:12.350

Dunn, Debra (DOL)

So let me just kind of go over our contract template.

00:16:13.190 --> 00:16:14.520

Dunn, Debra (DOL)

At this point.

00:16:14.600 --> 00:16:25.700

Dunn, Debra (DOL)

Come early one we're gonna use this contract template for everyone in the past, we've had multiple contract templates and.

00:16:25.790 --> 00:16:48.690

Dunn, Debra (DOL)

Uh you know a we've heard feedback that it's not necessarily fair when entities are being held to different terms and conditions or requirements and so this template is meant to be used for everyone. As you go through it, you'll see our notate take this out if they're not getting personal information that kind of thing.

00:16:50.030 --> 00:17:01.690

Dunn, Debra (DOL)

We will not be negotiating contracts with anyone so this is your opportunity to provide us feedback get clarity ask questions.

00:17:02.810 --> 00:17:14.940

Dunn, Debra (DOL)

And Informis, where you know you feel it. It's overly burdensome help us understand that kind of thing, so that when we finalize this template. It is good to go.

00:17:17.700 --> 00:17:43.340

Dunn, Debra (DOL)

You will see that in the country well, OK, so before I go on the terms and conditions that are specific to a particular data service like vehicle owner data or driver record data. All of that now has been moved in to the data licensing statement. So our contracts. You will notice or shifted around a bit the terms and conditions have moved a bit.

00:17:44.450 --> 00:18:00.480

Dunn, Debra (DOL)

Payment for example, is in the data licensing statement because by law. We have to charge different fees for the different types of data or there might be a different payment process so that for example, will also be in that particular data licensing statement.

00:18:03.390 --> 00:18:20.500

Dunn, Debra (DOL)

Those dated licensing statements will also be tailored. In fact, the whole contract will be tailored based on the entity and the permissible use for example, governmental entities may have slightly different terms and conditions than.

00:18:21.060 --> 00:18:21.890

Dunn, Debra (DOL)

Uhm.

00:18:22.720 --> 00:18:29.330

Dunn, Debra (DOL)

A private sector for example, those state agencies that with our within the state SGN.

00:18:31.070 --> 00:18:36.880

Dunn, Debra (DOL)

I hope that's a decrement everybody knows 'cause it's the acronym just slipped me Eric SG.

00:18:36.000 --> 00:18:37.840

Shields, Eric (DOL)

State government network.

00:18:38.150 --> 00:18:46.560

Dunn, Debra (DOL)

Thank you in state government network. They're already behind our firewall and so their data security requirements might be slightly different.

00:18:50.550 --> 00:18:51.210

Dunn, Debra (DOL)

Uhm.

00:18:52.210 --> 00:19:05.310

Dunn, Debra (DOL)

Let's see so there is a major rewrite. We were not able to because of this we weren't able to do a crosswalk to everything I encourage you to read it all, and submit your questions again.

00:19:06.320 --> 00:19:13.500

Dunn, Debra (DOL)

The intent of many of those clauses have not changed, but as we've performed audits.

00:19:14.240 --> 00:19:29.210

Dunn, Debra (DOL)

As we've had questions from customers. We realize that we may not have been as clear or as detailed as we needed to be about what our expectations are so you know the each clause. I think was rewritten at least a little bit.

00:19:31.120 --> 00:19:40.310

Dunn, Debra (DOL)

There are though, even though our intent was not to make a lot of major changes. There are a few changes that I do want to make you aware of.

00:19:42.340 --> 00:19:49.960

Dunn, Debra (DOL)

One is that we will likely be requiring sorry but cyber liability insurance on a scaled approach.

00:19:50.780 --> 00:19:52.890

Dunn, Debra (DOL)

And what I mean by that is.

00:19:52.940 --> 00:20:02.690

Dunn, Debra (DOL)

As uh depending on how many records you receive from DOL. You may or may not be required to have cyber liability insurance.

00:20:03.710 --> 00:20:07.420

Dunn, Debra (DOL)

And we are still working on this, the UM.

00:20:09.620 --> 00:20:29.440

Dunn, Debra (DOL)

Most I think of our small businesses will not be required to have the cyber liability insurance 'cause. They just don't get that many records, especially our Youth Services customers, though some of our youth service. Customers are heavy users of the system so they may be required, so it'll be on a sliding scale.

00:20:31.140 --> 00:20:41.330

Dunn, Debra (DOL)

Uh and we like I said, We're still working on that scale that we're also looking at some possible mitigation factors that might reduce your requirement.

00:20:41.990 --> 00:20:56.770

Dunn, Debra (DOL)

To have the insurance or a certain level of insurance so for example, if you have recently gone through a data security audit with us and there are no deficiencies or the deficiencies have been corrected.

00:20:57.340 --> 00:21:02.190

Dunn, Debra (DOL)

Uh it's possible that maybe you wouldn't be required to have as much.

00:21:03.250 --> 00:21:15.160

Dunn, Debra (DOL)

Cyber liability insurance we are still working on all of those mitigating factors as well as what the scale would look like as well as the contract clause so.

00:21:15.310 --> 00:21:35.570

Dunn, Debra (DOL)

Uh we will share that information as soon as it's ready for prime time currently in the contract template is the old clause and we have made note in that template that that clause will be changing. I just don't have that information for you, I will share it as soon as I can to get stakeholder input.

00:21:41.600 --> 00:21:55.630

Dunn, Debra (DOL)

Let's see another change is mini some of you already do this, especially on the driver record side is you tell us who your sub recipient is and what are the permissible uses?

00:21:56.420 --> 00:22:28.040

Dunn, Debra (DOL)

This will be a requirement in the future. I anticipate that it will go live on November first our systems will be updated to require that if you are giving the data to somebody else. You provide us at sub recipient name and the permissible use. Many of you have multiple permissible uses on your account. So we need to know which one. It is and we're doing this because again we believe that Washington residents have a right to know.

00:22:28.620 --> 00:22:57.950

Dunn, Debra (DOL)

Uh, who's using their debit data and why and a lot of times they may see the data brokers names that

can go in or they can call our call center and find out who you give him my data to it'll say like a data brokers name. That means nothing to them, but they might see that it was given to an employer. Oh yeah, OK. I know that was that was for that was because I have a CDL a commercial driver 's license and my employer needs to have my driving record.

00:22:58.740 --> 00:23:03.390

Dunn, Debra (DOL)

Totally understand that so it's that transparency piece that we're really looking for.

00:23:07.220 --> 00:23:28.550

Dunn, Debra (DOL)

And again this is the sub recipient versus customer. I already went over, but that will be a requirement on this sub recipient list is now being expanded to sub recipient and customer list and you'll need to designate which one I believe we already provide you a form for that, so that form will be updated in the future.

00:23:29.890 --> 00:23:33.110

Dunn, Debra (DOL)

Some health so you can indicate which they are.

00:23:37.520 --> 00:23:42.630

Dunn, Debra (DOL)

Let's go ahead and go down to the next one which is compliance.

00:23:43.890 --> 00:23:59.160

Dunn, Debra (DOL)

And I see that there's some questions coming in to the chat. We're going to just answer all the questions during our Q&A. So feel free if you're thinking of them you can pop up your Q&A.

00:23:59.960 --> 00:24:09.900

Dunn, Debra (DOL)

And or you know you could put that question in there and we'll go through those questions and I'm not ignoring you. I'm just trying to get through this piece so that we can spend the bulk of the time on our question and answer.

00:24:10.630 --> 00:24:11.490

Dunn, Debra (DOL)

So Eric.

00:24:16.000 --> 00:24:19.780

Shields, Eric (DOL)

Hi everyone, yeah, Eric Shields and again the compliance manager.

00:24:20.470 --> 00:24:31.300

Shields, Eric (DOL)

Uh so to walk you through the compliance pieces. I want to step back for a moment and let's talk about the requirements as they appear in the contract.

00:24:32.900 --> 00:24:49.940

Shields, Eric (DOL)

Our focus as you'll see over the evolution of our client tracks over time has been to as Debbie suggests we want to provide transparency to our residents how their data is being used, but we also want to make sure they understand that we're protecting their information.

00:24:50.590 --> 00:24:51.020

Shields, Eric (DOL)

Uh.

00:24:52.050 --> 00:24:54.410

Shields, Eric (DOL)

As they have a uh right for us to do.

00:24:55.350 --> 00:25:01.710

Shields, Eric (DOL)

But at the same time you as our customers data recipients have a right to the data for permissible uses.

00:25:02.370 --> 00:25:16.680

Shields, Eric (DOL)

Debbie is mentioned that were balanced that's what we're trying to do here. So we've adopted more of a privacy framework approach so you'll see that our requirements typically revolve around data minimization.

00:25:17.620 --> 00:25:18.090

Shields, Eric (DOL)

Uh.

00:25:18.820 --> 00:25:35.610

Shields, Eric (DOL)

Data retention the limitation on data retention and so forth so that forms if I can say the principles of the contract and then what we apply in the contract or some attachments and you'll see that there are a couple of attachments.

00:25:36.900 --> 00:26:00.290

Shields, Eric (DOL)

And I know I'm gonna be out awarded her, but that's just the way I talk and attachment B lays out what we call the privacy requirements. So the privacy requirements. Now enveloped what we had before as standalone data security or permissible use requirements, yeah, so here we have new privacy requirements.

00:26:01.090 --> 00:26:04.600

Shields, Eric (DOL)

Such as we want you to have your own privacy policies.

00:26:05.970 --> 00:26:08.120

Shields, Eric (DOL)

It should be no surprise that.

00:26:08.830 --> 00:26:19.220

Shields, Eric (DOL)

You know privacy is becoming more of a concern when it comes to data showing in this country throughout the world and so it's time that everyone when they're processing and data.

00:26:19.810 --> 00:26:40.760

Shields, Eric (DOL)

I'm beginning to recognize and respect that value that ethic and that's our expectation that we pushed through in this contract and then from there. We have our standard data security requirements. Some minor rewording and their particular focus in their on data retention.

00:26:42.250 --> 00:26:46.700

Shields, Eric (DOL)

And so there were looking for you to keep the data as short of time as possible.

00:26:48.870 --> 00:26:53.170

Shields, Eric (DOL)

The key is that you need to tie it to a legal.

00:26:53.910 --> 00:27:03.030

Shields, Eric (DOL)

Uhm basis, so once you receive the information use it as authorized and get rid of it when no longer required by law.

00:27:03.690 --> 00:27:05.330

Shields, Eric (DOL)

Not by company policy.

00:27:06.030 --> 00:27:07.950

Shields, Eric (DOL)

Not by threat of legal lawsuit.

00:27:08.580 --> 00:27:23.520

Shields, Eric (DOL)

But by law, there has to be a legal foundation for you to retain the data. You'll see in the body of the contract. There's a couple of preemptions and I've cited a couple of them here.

00:27:24.210 --> 00:27:35.300

Shields, Eric (DOL)

But I'm gonna first speak to one that's not listed and it gets back to the data retention aspect, which is the fair credit reporting act F CRA or fikre as some pronounce.

00:27:36.040 --> 00:28:06.470

Shields, Eric (DOL)

Uh many some data brokers have used the FCRA as a basis for keeping data, suggesting that there are statutes of limitations in the federal act for which they want to keep their personal information. We however, can find no such requirement. We know that the Federal Act has a disposal requirements that requirement speaks to the methodology of disposal so that the information is no longer recoverable.

00:28:06.910 --> 00:28:13.700

Shields, Eric (DOL)

But we can find nothing that says you have to keep the data under federal law for a specific period of time.

00:28:14.310 --> 00:28:20.620

Shields, Eric (DOL)

Therefore we are pre-empting the use of QQ as a basis to retain data.

00:28:21.540 --> 00:28:50.940

Shields, Eric (DOL)

That is a debatable point we understand that someone response if you can provide us information. A citation of law that enables you to use the FCRA. We want to see that we encourage you we invite you to send that in to us and we will then look at our language in the contract, but otherwise you will need to develop your own policies again based on Legal Foundation for how long you're going to keep data.

00:28:51.480 --> 00:29:16.380

Shields, Eric (DOL)

Now the other 2 preemptions that are mentioned here on non-disclosure agreements. The NDA has been a hurdle that some have presented to us before we're allowed to go in and look at a data security audit or conductor permissible use on it now in this regard. I'm speaking mostly to our bulk data recipients commonly known as the commercial data brokers.

00:29:17.660 --> 00:29:30.860

Shields, Eric (DOL)

And so by signing this contract this will serve as the NDA and we don't want to then have to be presented with an additional legal form to have to be executed prior to us.

00:29:31.050 --> 00:29:37.090

Shields, Eric (DOL)

Uh conducting an audit so if you have concerns about the way this is worded in the agreement.

00:29:38.200 --> 00:29:49.210

Shields, Eric (DOL)

Run it past your legal staff whomever you want and give us suggested wording. But the intent here is that we want this to serve as the NDA.

00:29:50.150 --> 00:30:20.580

Shields, Eric (DOL)

Uh the other preemption listed here applies to a public agencies in Washington agencies that want to use our public records act. There is an express exemption in state law that exempts data security audits from public disclosure well. We are not the public. We are in agency with whom you have entered into a contractual obligation to share that audit so we want to make sure that all the state.

00:30:20.630 --> 00:30:35.830

Shields, Eric (DOL)

Agencies are aware and make their chief information security officers that RIT organizations aware of

their obligation to share those data security audits with us and that they are not going to be allowed to use the statute.

00:30:36.920 --> 00:30:40.920

Shields, Eric (DOL)

And that is cited in the draft contract template.

00:30:42.730 --> 00:31:12.150

Shields, Eric (DOL)

I'm jumping down to the data. Uh sorry the audit requirements. This is attachment D Delta. So one big thing here and this particularly pertains to again to our bulk data recipients for whom you know as we conduct audits in the past, the permissible use audits, notably those are done by us and those oddities I have received an invoice from us.

00:31:12.200 --> 00:31:17.230

Shields, Eric (DOL)

For our time and travel costs whatever is in Curd.

00:31:18.340 --> 00:31:37.190

Shields, Eric (DOL)

So that's a already a unknown and what we will be invoicing for in the future when reviewing data security audits is that we will similarly be invoicing for our time when we review those and those are laid out in the table under cost of audit and attachment D.

00:31:38.600 --> 00:31:48.750

Shields, Eric (DOL)

So I want to go off on a tangent for a moment. We have our E services customers and those contracts do contain an audit clause.

00:31:49.620 --> 00:31:57.060

Shields, Eric (DOL)

Now the audits you know when when we do them are invoices typically run let's say \$5000.00.

00:31:58.710 --> 00:32:25.320

Shields, Eric (DOL)

That is true for our bulk data or commercial data broker experiences. We have yet to do an audit on an E service customer so there. The probability exists in the body of the contract. We take a risk based approach so unless we see a significant cause to go in and conducting audit we would have had a conversation with you first to better understand the situation.

00:32:26.090 --> 00:32:33.110

Shields, Eric (DOL)

But the likelihood of us conducting that are on any service is.

00:32:34.510 --> 00:32:45.430

Shields, Eric (DOL)

I dare say low very, very low we have yet to do one in my 5 years of experience here and so when I throw out a dollar figure of \$5000.00 as an audit cost.

00:32:47.320 --> 00:32:50.270

Shields, Eric (DOL)

We can address that but I want to, if I can.

00:32:50.760 --> 00:32:55.950

Shields, Eric (DOL)

Uh relieve the East service customers at the moment of thinking that's going to impact them.

00:32:58.040 --> 00:33:26.850

Shields, Eric (DOL)

I will note that the invoices that we generate for our audits are in the 4th figure range. We hear stories of other states invoicing for 5 or 6 figures and we they'll come anywhere close. I believe were responsible. Stewards of your time of your money, but at the same time, we're gonna give our residents confidence that were conducting due diligence.

00:33:27.180 --> 00:33:27.540

Shields, Eric (DOL)

So.

00:33:29.760 --> 00:33:41.740

Shields, Eric (DOL)

The one big piece in here if you have sub recipients that is likely to give you heartburn is what we now call the Washington addendum and that is now what we call in exhibit A?

00:33:43.780 --> 00:34:13.420

Shields, Eric (DOL)

Our previous contracts laid out an expectation that you passed through certain requirements to your sub recipients now. The reason was is because we expect anyone processing. PPI protected personal information to treat it with the same security, the same privacy. You know basically the same requirements that we impose upon you and there's been a lot of confusion on what that means? How do you do that?

00:34:13.980 --> 00:34:32.690

Shields, Eric (DOL)

So we're taking away that confusion and we're making it very black and white of what we want your sub recipients to know the expectations are of them if they're going to process Washington data. This would apply to the data. They obtained from Washington through you so.

00:34:33.460 --> 00:34:34.740

Shields, Eric (DOL)

I know it's a long document.

00:34:35.670 --> 00:34:43.610

Shields, Eric (DOL)

Uh we look forward to your feedback, but our intent is to make sure it's crystal clear on which requirements get passed through.

00:34:44.820 --> 00:34:46.070

Shields, Eric (DOL)

And so forth now.

00:34:46.830 --> 00:35:01.510

Shields, Eric (DOL)

We expect you as a data recipient to audit your sub recipients for complying with the Washington addendum. You will note and we like to emphasize we do not define the term audit.

00:35:02.430 --> 00:35:08.030

Shields, Eric (DOL)

How you choose to test your sub recipients for compliance is up to you?

00:35:08.900 --> 00:35:10.680

Shields, Eric (DOL)

You will read in the WAC.

00:35:11.270 --> 00:35:41.310

Shields, Eric (DOL)

Rules the draft, Wack rules that the standard Berta using is that a reasonable person would look at the methodology. You're using and conclude that you're doing a reasonable job of auditing your sub recipients so again no definition. No strict standard, but I'm using the reasonable person or what I like to call the straight face standard if you can explain what you're doing with a straight face that typically would work.

00:35:41.580 --> 00:35:43.240

Shields, Eric (DOL)

And we'd be satisfied with that.

00:35:43.930 --> 00:35:49.970

Shields, Eric (DOL)

So that explains the Washington addendum one quick note. I glossed over but computer audits real quick.

00:35:51.070 --> 00:36:20.150

Shields, Eric (DOL)

Those of you drive record brokers that have had this requirement in the past to what we call desk audits or subrecipient audits. That's where you are testing to make sure that you have the required consent form and place from the named individual the the person who's record your obtaining we have a a law and we have a standard that you have that consent form and place a prior to a requesting.

00:36:20.440 --> 00:36:29.250

Shields, Eric (DOL)

I've heard so we are now using the term consent audit that is described in more detail again in the audit table.

00:36:30.570 --> 00:36:37.220

Shields, Eric (DOL)

And this will apply a 2 RE services as well as our bulk data brokers and there's an expectation.

00:36:37.670 --> 00:36:47.720

Shields, Eric (DOL)

Ah found it in law that you are obtaining that consent and we will be conducting consent audits are staff will be doing that.

00:36:48.850 --> 00:37:13.130

Shields, Eric (DOL)

For both our bulk in RE service customers. It's on a scheduled to be determined. There is no prescribed schedule. But as with all of our audits. We will give you notice in advance to give you a heads up that were coming and to the extent that we can give you a reasonable estimate of the cost of those audits. Yes, that is our intention, so I will stop there.

00:37:13.610 --> 00:37:17.950

Shields, Eric (DOL)

Uh and I look forward to answering any questions when we get to the Q&A.

00:37:18.610 --> 00:37:19.080

Shields, Eric (DOL)

Thank you.

00:37:20.860 --> 00:37:41.760

Dunn, Debra (DOL)

Thanks Eric OK, so we're gonna enter our QA. I do want to remind everybody that this is being recorded, so and Alex is here. He's writing everything down for us or typing everything down so that we can capture those questions. We will be developing a frequently asked questions and disturbing that out, updating it as needed as well.

00:37:43.770 --> 00:37:44.390

Dunn, Debra (DOL)

Uhm.

00:37:47.620 --> 00:37:57.630

Dunn, Debra (DOL)

While we try to anticipate a lot of your questions and we have kind of some answers in our heads. 'cause Eric and I have and James have been over these documents many, many times.

00:37:59.230 --> 00:38:09.310

Dunn, Debra (DOL)

Please consider our verbal response as preliminary until we can provide a written response in our FA cues.

00:38:10.150 --> 00:38:11.780

Dunn, Debra (DOL)

And that will be our official.

00:38:12.400 --> 00:38:13.540

Dunn, Debra (DOL)

A response.

00:38:16.490 --> 00:38:19.460

Dunn, Debra (DOL)

So I've gone through the chat here.

00:38:20.670 --> 00:38:28.890

Dunn, Debra (DOL)

And I think I found the first question, which is from UN Thomas. I need to leave for a period in the middle of the meeting.

00:38:30.220 --> 00:38:40.610

Dunn, Debra (DOL)

I was I'm sorry I didn't see this question until now. But everything is recorded and we will capture everything in the FAQ so if you missed anything we will be distributing that out again.

00:38:42.530 --> 00:38:53.110

Dunn, Debra (DOL)

There's quite a lot just a reminder to for folks as I'm scrolling through trying to find questions is that as a public entity as we're recording this.

00:38:53.860 --> 00:38:54.550

Dunn, Debra (DOL)

Uhm.

00:38:55.810 --> 00:38:58.300

Dunn, Debra (DOL)

We are required to capture.

00:38:59.280 --> 00:39:05.610

Dunn, Debra (DOL)

All the participants names so please if you haven't already put you in a first and last name in the chat.

00:39:06.560 --> 00:39:07.620

Dunn, Debra (DOL)

Also.

00:39:08.530 --> 00:39:12.340

Dunn, Debra (DOL)

For those who were on the phone and you got your phone number, so I think we're good there.

00:39:14.600 --> 00:39:37.260

Dunn, Debra (DOL)

I'm is so the next question. I find is is this different session from yesterday. The presentation bullet points that we follow are pretty much the same. We do add lip a bit and and the previous pages of the SharePoint screwed me PowerPoint that we've presented and of course, the Q&A is can be quite different so.

00:39:37.310 --> 00:39:41.540

Dunn, Debra (DOL)

So uhm we'll find out if the Q and his are different or not.

00:39:45.840 --> 00:39:51.010

Dunn, Debra (DOL)

I'm scrolling through a lot of names. Thank you everyone for complying with that and helping us meet.

00:39:55.570 --> 00:39:56.260

Dunn, Debra (DOL)

Uhm.

00:39:59.630 --> 00:40:17.820

Dunn, Debra (DOL)

Meet our requirements, yeah, if you're going to be submitting questions to us. VR group email boxes for bulk data customers. It is data contracts at DLL dot Y dot Gov Ferrari services data services at DL dot dot.gov.

00:40:24.020 --> 00:40:25.470

Dunn, Debra (DOL)

Sorry my cat is meowing.

00:40:29.740 --> 00:40:51.010

Dunn, Debra (DOL)

So I have a question that DLSR the data licensing statement shared is for plate search services. How many different types of data licensing services are there order license in statements? Well, there's one for each service and I think there's 8 of them that we manage actually. I'm going to say there's not quite as it 'cause some of them, actually put.

00:40:52.090 --> 00:41:04.870

Dunn, Debra (DOL)

Data into our systems and don't actually get data back out, so data sharing agreement is not exact as needed. We have ever played. Search for the driver records for dabs Diaz.

00:41:06.120 --> 00:41:16.120

Dunn, Debra (DOL)

Driver record request contractor plate search. We have one for aggregate data so if someone is getting kind of a unique file one for that.

00:41:17.350 --> 00:41:25.020

Dunn, Debra (DOL)

Uh so there's quite a few data licensing statements and those are the documents have had that.

00:41:25.070 --> 00:41:30.280

Dunn, Debra (DOL)

It has specific terms and conditions to bat data service.

00:41:33.260 --> 00:41:55.130

Dunn, Debra (DOL)

Will there be a field for us to enter permissible use sub recipient information in depth so that's a really good question. I should have clarified for our bulk data. Customers that would be the plate search. I'm users and the driver record and monitoring those are the ones who would have to provide the.

00:41:55.180 --> 00:42:09.260

Dunn, Debra (DOL)

Uh hum sub recipient or customer information and the permissible use. We don't right now in our systems have the capability for any of our services for you to add the permissible use or sub recipient.

00:42:10.540 --> 00:42:31.180

Dunn, Debra (DOL)

It is something that we're looking at adding in the future. Unfortunately, right now are it's tap is severely. RIT program is severely understaffed and way behind because of that unblack log, especially when they get back up and running or they're running but limping.

00:42:32.420 --> 00:42:36.060

Dunn, Debra (DOL)

In all honesty, they will have to focus on priority.

00:42:36.830 --> 00:42:58.940

Dunn, Debra (DOL)

Some fixes and you know legislation that's implemented that requires system changes in those kinds of things, so any changes to our East services will probably be down the road quite a ways. At least a year likely a little more so for those eservices folks don't worry about that it's not aimed at you yet.

00:43:03.480 --> 00:43:10.430

Dunn, Debra (DOL)

Let's see as a state agency we have retention scheduled filed with the Secretary of State regarding our Fr ES.

00:43:11.120 --> 00:43:11.970

Dunn, Debra (DOL)

Afars.

00:43:12.870 --> 00:43:25.870

Dunn, Debra (DOL)

Yeah, which include adrs will there qualify as our record retention justification. Yes, any governmental entity. You need to file your own records retention. Whatever you know the Secretary of State.

00:43:27.300 --> 00:43:30.130

Dunn, Debra (DOL)

Requires you to follow that's good enough for us.

00:43:34.280 --> 00:44:03.170

Dunn, Debra (DOL)

The obligations and restrictions in the draft data licensing agreement are mainly centered around protection around protected personal information based on the definition of identity information and personal information. It appears that contract with plates. Search does not provide data that includes

protected personal information agreed. No disagree vehicle owner information. The name and address is considered.

00:44:04.160 --> 00:44:13.450

Dunn, Debra (DOL)

As well as vessel is considered personal information so contract templates. Search yes does include protected personal information.

00:44:21.970 --> 00:44:27.440

Dunn, Debra (DOL)

Thank you for everyone for typing your names and just scrolling through those to find the next question.

00:44:29.020 --> 00:44:49.470

Dunn, Debra (DOL)

In the draft Wax Section 7 research the language includes bona fide research organizations. What makes an organization bona fide. This needs to needs a definition or a removal of Subjectiveness, I would hate to see.

00:44:49.820 --> 00:44:51.990

Dunn, Debra (DOL)

A true research.

00:44:52.770 --> 00:45:00.850

Dunn, Debra (DOL)

Not performed because a person decides that they are not bona fide I suggest adding research organization to a definition.

00:45:02.030 --> 00:45:05.670

Dunn, Debra (DOL)

To the definitions chapter and ditched the bona fide language.

00:45:07.680 --> 00:45:10.660

Dunn, Debra (DOL)

Thank you and for your purposes.

00:45:11.630 --> 00:45:12.460

Dunn, Debra (DOL)

Wash tip.

00:45:13.570 --> 00:45:19.890

Dunn, Debra (DOL)

Uh we consider a governmental entity or a bona fide research organization, so last step is good to go on that.

00:45:20.450 --> 00:45:35.950

Dunn, Debra (DOL)

Uhm, though the thing that we've run into in the past, mostly related to research is you've got a master student who comes in and they want to do some sort of thesis on.

00:45:37.510 --> 00:46:08.740

Dunn, Debra (DOL)

Collisions are drunk driving or something and they want every single driving record in our system. They want to put it on their personal computer or call it good well. Unfortunately, the law doesn't allow us to give the data to individuals and it's only businesses. But as you can see we run into issues with that and so thank you. I'm Stacy. We will look into that, further and see if that, we can clarify that if you have any suggestions certainly willing 'cause I. I know that you're kind of in that field and so, if you have any.

00:46:09.150 --> 00:46:14.700

Dunn, Debra (DOL)

Uh ideas that could help us clarify that better happy to hear him.

00:46:17.480 --> 00:46:23.770

Dunn, Debra (DOL)

OK, we used to get information when someone was deceased will we get that information again.

00:46:25.160 --> 00:46:28.370

Dunn, Debra (DOL)

Uh you have on could you clarify for me what?

00:46:29.410 --> 00:46:33.010

Dunn, Debra (DOL)

Uh organize what data that you're getting.

00:46:35.110 --> 00:46:37.720

Dunn, Debra (DOL)

Or what is what data service here using?

00:46:38.150 --> 00:46:41.770

Yvonne Reed

I'm sorry I'm just kind of talk to you instead of right in the chat.

00:46:42.250 --> 00:47:09.200

Yvonne Reed

Uh so I'm with Pierce County and you just to be like when we would use the old. I think it was old. I VIPs program that at times when we were running vehicles or somebody license information. It would come back and tell us if they were deceased and there was a number of years ago that we stopped seeing that when there was some changes and this is a question I had from one of my staff.

00:46:45.440 --> 00:46:45.810

Dunn, Debra (DOL)

OK.

00:46:59.840 --> 00:47:00.430

Dunn, Debra (DOL)

Ah.

00:47:09.470 --> 00:47:20.440

Yvonne Reed

Uh and it's just helpful for us when we're reaching out to people if you know if we know whether or not. They're deceased and so we're wondering if that information would be provided again in the records.

00:47:21.150 --> 00:47:38.440

Dunn, Debra (DOL)

Not for vehicle ownership records, we get the data from the Department of Health and right now. Our contract with the Department of Health says that we can use it to update our driving records and are disabled placard records.

00:47:38.980 --> 00:47:47.410

Yvonne Reed

So if we went into the driver 's records if we had knew who the driver was if we went into their records. It might be there is that what you're saying.

00:47:39.370 --> 00:47:39.840

Dunn, Debra (DOL)

Uh.

00:47:48.500 --> 00:47:56.570

Dunn, Debra (DOL)

Yeah, contractor plate search does not include driving records, though, so that contract template search will not include desk data.

00:47:57.220 --> 00:47:59.880

Dunn, Debra (DOL)

Uh do you have access to any other speech services?

00:48:00.210 --> 00:48:08.530

Yvonne Reed

The gaps we do now isn't isn't dabs different from contractor plates, yeah, yeah, so we also we.

00:48:02.410 --> 00:48:02.880

Dunn, Debra (DOL)

OK.

00:48:06.060 --> 00:48:07.350

Dunn, Debra (DOL)

It's yes.

00:48:07.940 --> 00:48:10.910

Dunn, Debra (DOL)

I will have to look and see if UM.

00:48:11.570 --> 00:48:14.010

Dunn, Debra (DOL)

If Daps has.

00:48:14.680 --> 00:48:22.760

Dunn, Debra (DOL)

Uh just did our deceased indicator in it. I don't know the answer that question off the top of my head I will include that in our FA cues.

00:48:23.240 --> 00:48:23.740

Yvonne Reed

Thank you.

00:48:24.280 --> 00:48:24.680

Dunn, Debra (DOL)

Yeah.

00:48:28.470 --> 00:48:40.970

Dunn, Debra (DOL)

From Sean as her exhibit A Washington addendum. The requirements seemed to assume that sub recipient is a data company. If the user is not a data business they are like.

00:48:41.800 --> 00:48:49.080

Dunn, Debra (DOL)

They are likely not to have the resources to comply with this much of this.

00:48:50.720 --> 00:48:59.110

Dunn, Debra (DOL)

Uh and example would be a small auto manufacturer. They are not going to be able to comply with 6 pages of terms and conditions.

00:49:01.460 --> 00:49:02.390

Dunn, Debra (DOL)

Uhm.

00:49:03.980 --> 00:49:14.940

Dunn, Debra (DOL)

Maybe Sean we can have that conversation offline about that. But the expectation is that anybody who receives protected personal information need to comply, but we can.

00:49:17.970 --> 00:49:22.720

Dunn, Debra (DOL)

Maybe talks specifically about some of your concerns for example.

00:49:23.130 --> 00:49:23.880

Dunn, Debra (DOL)

Uhm.

00:49:24.910 --> 00:49:43.380

Dunn, Debra (DOL)

Data security doesn't vary a little bit so if you're getting if they're only getting a hard copy this. I know that probably doesn't relate to your customer Sean but if someone is just getting a hard copy and not putting that information to another system. You know, locking it up in a Cabinet is good data security.

00:49:44.010 --> 00:49:48.940

Dunn, Debra (DOL)

Uhm whether you're if say the agency within the state.

00:49:49.640 --> 00:50:05.480

Dunn, Debra (DOL)

Government network reset that right again, you know different data security requirements. Eservices folks who logged directly into our system unless they take that data and put it into another system or our systems pretty much cover their data security.

00:50:06.080 --> 00:50:11.820

Dunn, Debra (DOL)

That kind of thing, so help us understand that, but the expectation generally is.

00:50:12.530 --> 00:50:16.070

Dunn, Debra (DOL)

That anybody who gets protected personal information does need to secure it.

00:50:16.680 --> 00:50:19.740

Dunn, Debra (DOL)

And protected and they use it only as authorized.

00:50:23.670 --> 00:50:53.940

Dunn, Debra (DOL)

I notice that there are a number of references to Licensee in the data sharing agreement. But I didn't see the terms defined it. Thank you. We will look for that in our previous templates. A lot of them are using the term licensee, meaning recipient. We're giving you the license to use the data. You do not get ownership of the data just because you have a file with everything in it. the Washington state still owns that data and.

00:50:53.980 --> 00:50:54.500

Dunn, Debra (DOL)

Uhm.

00:50:55.490 --> 00:51:02.920

Dunn, Debra (DOL)

Uh allows you to use it and can require you to destroy it or whatever.

00:51:03.510 --> 00:51:14.560

Dunn, Debra (DOL)

And as it is a license to use the data. So we will go through. We will look at that and we will change that to mean to recipient. Thank you for that catch.

00:51:15.170 --> 00:51:17.650

Dunn, Debra (DOL)

Uh I had hoped we had caught him all.

00:51:18.740 --> 00:51:20.060

Dunn, Debra (DOL)

And apparently we didn't.

00:51:24.250 --> 00:51:28.460

Dunn, Debra (DOL)

Is vehicle lien Holder information personal or private?

00:51:30.920 --> 00:51:38.750

Dunn, Debra (DOL)

That is I believe personal information, I will double check on that, but it would be considered part of protected personal information.

00:51:45.000 --> 00:51:50.520

Dunn, Debra (DOL)

As well as will make a clarification, too because in the laws that talk about. I am so sorry.

00:51:52.140 --> 00:51:52.660

Dunn, Debra (DOL)

And she

00:51:54.250 --> 00:51:55.900

Dunn, Debra (DOL)

disagrees with me about moving here.

00:52:00.270 --> 00:52:00.920

Dunn, Debra (DOL)

OK, this is.

00:52:01.840 --> 00:52:02.840

Dunn, Debra (DOL)

One moment please.

00:52:05.970 --> 00:52:09.040

Dunn, Debra (DOL)

So when we talk about vehicle owner information.

00:52:09.640 --> 00:52:17.910

Dunn, Debra (DOL)

That is not just a person that also applies to businesses that own vehicles. It is considered personal information or protected personal information.

00:52:20.320 --> 00:52:23.390

Dunn, Debra (DOL)

The law does not make a distinction between.

00:52:24.200 --> 00:52:26.540

Dunn, Debra (DOL)

A person in a business it's the vehicle owner.

00:52:34.730 --> 00:52:38.420

Dunn, Debra (DOL)

Uh we received aggregate data no PPI.

00:52:39.150 --> 00:52:40.290

Dunn, Debra (DOL)

Thank you for using that term.

00:52:41.320 --> 00:52:46.030

Dunn, Debra (DOL)

Start to sink in a little bit on a quarterly basis for obesity research.

00:52:47.230 --> 00:52:51.470

Dunn, Debra (DOL)

Well, our process change if you are not getting PPI now.

00:52:53.590 --> 00:52:54.490

Dunn, Debra (DOL)

Likely. No.

00:52:55.960 --> 00:53:06.510

Dunn, Debra (DOL)

There is some requirements and there's been some bills introduced related to aggregate data and whether that data could be reidentified if any of those paths.

00:53:06.920 --> 00:53:07.670

Dunn, Debra (DOL)

Uh.

00:53:08.950 --> 00:53:15.300

Dunn, Debra (DOL)

It may change, but I am not anticipating at this point if you're not getting protected personal information.

00:53:15.960 --> 00:53:16.660

Dunn, Debra (DOL)

Uhm.

00:53:17.870 --> 00:53:19.720

Dunn, Debra (DOL)

I'm not anticipating to change for you.

00:53:20.880 --> 00:53:22.520

Dunn, Debra (DOL)

You would not be subject to audits.

00:53:23.370 --> 00:53:26.450

Dunn, Debra (DOL)

Or annual statements of compliance that kind of thing.

00:53:30.200 --> 00:53:57.810

Dunn, Debra (DOL)

And also that that also brings up a good thought for me is if you're cascading down if you're not cascading down the data that you are processing the data on your customers behalf not giving them to them. The customer is not then since they're not getting the protected personal information they would not have to be subject to the data security audits any of that kind of thing that it will be outlined in the Washington addendum.

00:54:00.070 --> 00:54:06.530

Dunn, Debra (DOL)

During a claims investigation contacted place search information about a registered owner of vehicle identified.

00:54:07.440 --> 00:54:10.310

Dunn, Debra (DOL)

Identification becomes part of a claims record.

00:54:11.320 --> 00:54:12.770

Dunn, Debra (DOL)

During the life

00:54:13.370 --> 00:54:19.120

Dunn, Debra (DOL)

of the file there may be litigation and it may be necessary to perform the claims record.

00:54:19.910 --> 00:54:21.970

Dunn, Debra (DOL)

Will defense or coverage?

00:54:23.500 --> 00:54:27.370

Dunn, Debra (DOL)

Council be considered as sub recipient.

00:54:32.000 --> 00:54:35.790

Dunn, Debra (DOL)

So is this a Christmas is related to insurance.

00:54:36.430 --> 00:54:37.750

Dunn, Debra (DOL)

Or is this.

00:54:38.530 --> 00:54:40.130

Dunn, Debra (DOL)

A governmental entity.

00:54:41.000 --> 00:54:43.320

Chris Browne

No this is related to insurance.

00:54:46.170 --> 00:54:50.970

Dunn, Debra (DOL)

I believe so I believe the answer would be yes, but let's research that one a little bit further.

00:54:56.550 --> 00:55:00.640

Dunn, Debra (DOL)

What type of client would law enforcement?

00:55:01.540 --> 00:55:04.680

Dunn, Debra (DOL)

What type of client would law enforcement under?

00:55:05.540 --> 00:55:07.190

Dunn, Debra (DOL)

I'm not sure I understand.

00:55:08.270 --> 00:55:09.350

Dunn, Debra (DOL)

The question.

00:55:15.250 --> 00:55:21.920

Galloway, Kristina

I believe they mean. What type of client would law enforcement be under like Are we, we Raleigh Services right.

00:55:23.940 --> 00:55:27.990

Dunn, Debra (DOL)

Well uh if you're using daps.

00:55:29.440 --> 00:55:34.550

Dunn, Debra (DOL)

I think law enforcement. I think maybe some lawn Forsman kids contracted plate search.

00:55:36.880 --> 00:55:45.870

Dunn, Debra (DOL)

So that would be any service some law, a lot of law enforcement gets data through State Patrol through the access.

00:55:46.580 --> 00:55:58.090

Dunn, Debra (DOL)

Which I think is what they call it so we give dated steepest rolls deep virtual disseminates it to law enforcement in that case, they would be a sub recipient and that is, we consider that book data.

00:55:59.230 --> 00:56:01.010

Dunn, Debra (DOL)

Did that answer your question?

00:56:05.940 --> 00:56:07.430

Galloway, Kristina

So we could be.

00:56:08.220 --> 00:56:14.840

Galloway, Kristina

We could be a sub recipient via State Patrol via access. We could also be the requester.

00:56:15.720 --> 00:56:18.980

Galloway, Kristina

Ourselves via Daps and DIS.

00:56:20.230 --> 00:56:20.890

Dunn, Debra (DOL)

Yes.

00:56:22.470 --> 00:56:23.040

Dunn, Debra (DOL)

Correct.

00:56:27.820 --> 00:56:38.090

Dunn, Debra (DOL)

Where do state universities ver city 's requesting license plate ownership enter into this we used to be considered and exempt entity?

00:56:40.120 --> 00:56:50.140

Dunn, Debra (DOL)

With the passage well actually with back in 2014, when we gave the laws that govern 2 E.

00:56:51.010 --> 00:57:04.150

Dunn, Debra (DOL)

Gave up vehicle owner information to it's always been considered personal information and under the vehicle law background from 2014 required to be subject to audits.

00:57:04.890 --> 00:57:07.510

Dunn, Debra (DOL)

And that kind of thing so.

00:57:12.060 --> 00:57:12.550

Dunn, Debra (DOL)

Oops.

00:57:15.500 --> 00:57:21.840

Dunn, Debra (DOL)

My I'm sorry my chat just jumped a little bit. So I've lost the question. Let me see if I can find it really quick, I apologize.

00:57:23.410 --> 00:57:27.610

Dunn, Debra (DOL)

So state universities requesting ownership so.

00:57:28.070 --> 00:57:41.110

Dunn, Debra (DOL)

Uh if you are using our plate search or bulky service to get the data. You would be subject to the data security impermissible use audits if you are using?

00:57:41.750 --> 00:58:11.590

Dunn, Debra (DOL)

Uhm the contract in place search for example, the audit, although you may are subject to audits as Eric explained. We don't typically do a full blown audit for each services. We use the annual statement of compliance as our auditing tool for that and then you know the only time that we would really audit contracted plate search or any of the services if if we believe that there is an issue.

00:58:12.500 --> 00:58:15.110

Dunn, Debra (DOL)

And it rises to the level of actually being audited.

00:58:16.590 --> 00:58:19.180

Dunn, Debra (DOL)

Hope that answers your question so.

00:58:20.250 --> 00:58:23.920

Dunn, Debra (DOL)

And I'm not sure what you meant by exempt entity.

00:58:27.170 --> 00:58:32.330

Dunn, Debra (DOL)

But UM governmental entities are subject to the all the requirements as well.

00:58:33.990 --> 00:58:53.020

Michelle Rasmussen (Guest)

Not so much exempt but I what I meant was is that we had received an email from Susan Mitchell. That said that back in. It was in June that an email went out and then she corrected it, saying that it went out to all CPS customers. But it would not affect the University accounts it was considering.

00:58:51.390 --> 00:58:53.200

Dunn, Debra (DOL)

Oh, OK, I believe that was related.

00:58:54.400 --> 00:58:54.870

Michelle Rasmussen (Guest)

Pardon.

00:58:55.230 --> 00:59:01.180

Dunn, Debra (DOL)

I believe that was related to commercial parking so as.

00:58:59.090 --> 00:58:59.760

Michelle Rasmussen (Guest)

Correct.

00:59:02.040 --> 00:59:15.270

Dunn, Debra (DOL)

Separate from this new legislation and all of the activity around that DL had determined that we do not have the authority to give out the data for private parking enforcement.

00:59:16.600 --> 00:59:32.640

Dunn, Debra (DOL)

We do have statutory authority to give the data to governmental entities to perform their functions of their jobs, which would include parking enforcement and on like a State University so that decision.

00:59:33.100 --> 00:59:35.520

Dunn, Debra (DOL)

Uh only applied to private.

00:59:36.730 --> 00:59:44.170

Dunn, Debra (DOL)

Parking enforcement on private park property, it did not apply to state universities.

00:59:39.860 --> 00:59:41.000

Michelle Rasmussen (Guest)

You want this.

00:59:45.080 --> 00:59:58.130

Michelle Rasmussen (Guest)

OK, now in that we have a license plate recognition policy, but I did hear under the compliance part of it that we would also need to provide the law that that stands under is that something that applies to us.

01:00:00.330 --> 01:00:00.890

Michelle Rasmussen (Guest)

Performance.

01:00:00.810 --> 01:00:02.600

Dunn, Debra (DOL)

For contracted plate search.

01:00:03.240 --> 01:00:06.300

Michelle Rasmussen (Guest)

Well, we'd for retention value for the data that.

01:00:05.790 --> 01:00:09.120

Dunn, Debra (DOL)

I'll follow your own retention policies. Yeah.

01:00:09.070 --> 01:00:10.460

Michelle Rasmussen (Guest)

Alright alright thank you.

01:00:10.470 --> 01:00:12.970

Dunn, Debra (DOL)

Yeah, absolutely sorry I didn't understand that question.

01:00:16.340 --> 01:00:23.090

Dunn, Debra (DOL)

For the drives records consent requirement do you mean consent from the person who is being queried?

01:00:25.570 --> 01:00:27.940

Dunn, Debra (DOL)

Uh ndole system or does it.

01:00:29.090 --> 01:00:33.400

Dunn, Debra (DOL)

Or does this count on East services so the law.

01:00:34.160 --> 01:00:35.200

Dunn, Debra (DOL)

Requires.

01:00:36.160 --> 01:00:37.800

Dunn, Debra (DOL)

That anytime.

01:00:38.260 --> 01:00:46.850

Dunn, Debra (DOL)

Uh someone who's requesting a driving record for purposes of employment or for a volunteer organization.

01:00:47.500 --> 01:01:10.860

Dunn, Debra (DOL)

No other permissible use like insurance carriers or anything like that, so for employment and volunteer organizations. You are required to get what we've called a release of interest signed by the person who is the driver of that consenting that you are allowed to pull their driving record.

01:01:11.570 --> 01:01:17.390

Dunn, Debra (DOL)

And so in a DAP Cindy as a man.

01:01:18.700 --> 01:01:32.870

Dunn, Debra (DOL)

Diaz is used by courts to be able to give a record to the person who is appearing in their court or give it to like a prosecuting attorney that does not require consent.

01:01:34.400 --> 01:01:35.060

Dunn, Debra (DOL)

For that.

01:01:35.740 --> 01:01:47.470

Dunn, Debra (DOL)

Uh it is only when those records are pulled for the purposes of employment or volunteer organization so for example, a church who wants to get their driving record of their school bus driver.

01:01:51.470 --> 01:01:52.390

Galloway, Kristina

Thanks for clarifying.

01:01:53.160 --> 01:01:53.860

Dunn, Debra (DOL)

Certainly.

01:01:55.110 --> 01:02:04.650

Dunn, Debra (DOL)

Section 12 permissible use paragraph 3 motor vehicle record purchasers retain and use older data.

01:02:05.450 --> 01:02:06.890

Dunn, Debra (DOL)

For legal purposes.

01:02:08.190 --> 01:02:17.010

Dunn, Debra (DOL)

Last paragraph this appears to apply to driver license data NBA data can be used for more than one purpose.

01:02:18.270 --> 01:02:22.790

Dunn, Debra (DOL)

Yeah, Sean you guys are a little bit of a unique UM.

01:02:24.700 --> 01:02:36.190

Dunn, Debra (DOL)

Well, as well as well as one other of our data recipients. You're in a little unique situation. We'll have to look at this language. It may not apply to you, or it may need to be reworded for your case.

01:02:36.250 --> 01:02:36.440

Dunn, Debra (DOL)

Yes.

01:02:37.370 --> 01:02:42.880

Dunn, Debra (DOL)

I don't have that specific language in front of me, so we'll answer this in the FAQ.

01:02:49.710 --> 01:03:06.110

Dunn, Debra (DOL)

Section 15 3rd paragraph are you intending recipients to provide a list of all non. PPI PPI customers. If you are processing. The data on their behalf. I I don't have that section in Friday but by the.

01:03:06.730 --> 01:03:11.050

Dunn, Debra (DOL)

Context of the question I assume you're referring to the sub recipient list.

01:03:12.020 --> 01:03:21.920

Dunn, Debra (DOL)

And and so yes, if if anybody is your processing telling the data on their behalf in my example was a company who does.

01:03:22.010 --> 01:03:27.070

Dunn, Debra (DOL)

Uhm processes parking enforcement sends the bill out.

01:03:27.410 --> 01:03:39.850

Dunn, Debra (DOL)

Then it goes to collection pulls the data but does not give the data to the city of Olympia. For example, that is a customer and we would like to know that we would have that listed.

01:03:40.870 --> 01:03:45.720

Dunn, Debra (DOL)

In the sub recipient slash customer list.

01:03:49.920 --> 01:04:10.560

Shields, Eric (DOL)

Debbie I'm gonna interject real quick. I'll be just shine uses the term non PII customers. And so in WS using the term data. She's referencing PPI protected personal information and when it's non PII, then the requirements differ.

01:03:51.780 --> 01:03:52.350

Dunn, Debra (DOL)

Yes, please.

01:04:05.070 --> 01:04:05.770

Dunn, Debra (DOL)

Yeah, thank you.

01:04:12.950 --> 01:04:14.970

Dunn, Debra (DOL)

Should yeah all of this is about?

01:04:16.130 --> 01:04:17.230

Dunn, Debra (DOL)

Personal information.

01:04:18.560 --> 01:04:23.700

Dunn, Debra (DOL)

Not that we don't care about none personal those files that have non personal information in it, but

01:04:24.450 --> 01:04:27.950

Dunn, Debra (DOL)

and when they don't have personal information then.

01:04:29.840 --> 01:04:31.450

Dunn, Debra (DOL)

You know the other risk.

01:04:32.070 --> 01:04:44.030

Dunn, Debra (DOL)

It goes way down and so it's not as concerning to us in those cases. So we have uh. Let me just kind of run this by a little bit as well.

01:04:46.420 --> 01:04:50.260

Dunn, Debra (DOL)

Trying to think about another scenario that might help explain it.

01:04:55.650 --> 01:04:58.120

Dunn, Debra (DOL)

Get like one off the top of my head, too much pressure.

01:05:00.060 --> 01:05:04.170

Dunn, Debra (DOL)

We'll see if we can and try to clarify that in the FAQ.

01:05:06.490 --> 01:05:10.230

Dunn, Debra (DOL)

Is law enforcement still altering records?

01:05:11.820 --> 01:05:13.990

Dunn, Debra (DOL)

Could you explain that question for me?

01:05:18.730 --> 01:05:21.480

Galloway, Kristina

There's an additional comment right below from the same person.

01:05:21.040 --> 01:05:29.000

Dunn, Debra (DOL)

Oh altering is in using driving information in a contextual query search.

01:05:31.730 --> 01:05:34.400

Dunn, Debra (DOL)

I still don't think I'm understanding.

01:05:37.830 --> 01:05:42.200

Dunn, Debra (DOL)

So OK, so let me try this uhm.

01:05:43.460 --> 01:05:44.070

Dunn, Debra (DOL)

In.

01:05:45.060 --> 01:05:53.340

Dunn, Debra (DOL)

Uh adapts or DLC and apps. There's no changing of the record. It's just a search engine so they can't change your record.

01:05:53.980 --> 01:05:54.450

Dunn, Debra (DOL)

Uhm.

01:05:55.950 --> 01:06:01.590

Dunn, Debra (DOL)

We do get some data from law enforcement such as collision data.

01:06:02.300 --> 01:06:03.880

Dunn, Debra (DOL)

Uh that goes into our system.

01:06:04.630 --> 01:06:05.560

Dunn, Debra (DOL)

Uhm.

01:06:06.980 --> 01:06:07.860

Dunn, Debra (DOL)

We do get.

01:06:08.550 --> 01:06:20.620

Dunn, Debra (DOL)

Uh information from the courts you know parking tickets, speeding tickets, DUI is that kind of thing when they give us that information. It goes into the system not all.

01:06:21.270 --> 01:06:22.040

Dunn, Debra (DOL)

Uh.

01:06:22.860 --> 01:06:36.170

Dunn, Debra (DOL)

Courts pass on all information so for example, some of them kind of have a policy of well. If you pay your ticket within 30 days. We won't give it to you know, we don't pass the information on to DL usually that's like a parking ticket kind of a thing.

01:06:38.420 --> 01:06:41.650

Dunn, Debra (DOL)

So I'm not sure.

01:06:42.460 --> 01:06:49.000

Shields, Eric (DOL)

There was a note excuse me Debbie added here just a moment ago, contextual hot filed data.

01:06:46.220 --> 01:06:46.560

Dunn, Debra (DOL)

OK.

01:06:52.440 --> 01:06:55.870

Dunn, Debra (DOL)

Still, not understanding the question I'm sorry. I'm being thick on this one.

01:07:04.200 --> 01:07:09.410

Shields, Eric (DOL)

Uh another note, a query is run pretending that a driver is wanted.

01:07:12.800 --> 01:07:15.900

Dunn, Debra (DOL)

Pretending that a driver is wanted.

01:07:16.740 --> 01:07:19.150

Dunn, Debra (DOL)

So there does have to be a permissible use.

01:07:20.490 --> 01:07:20.940

Dunn, Debra (DOL)

Uhm.

01:07:23.050 --> 01:07:26.200

Dunn, Debra (DOL)

In our old legacy legacy system.

01:07:26.940 --> 01:07:27.760

Dunn, Debra (DOL)

Uhm.

01:07:29.110 --> 01:07:30.910

Dunn, Debra (DOL)

We used to have test records.

01:07:31.670 --> 01:07:35.900

Dunn, Debra (DOL)

That we could have for instance.

01:07:36.460 --> 01:07:57.160

Dunn, Debra (DOL)

Uh Police Department could train their folks on daps using test records in drives. There are no test records. So we have created a policy and we can share that with you again believe we've already distributed that out, maybe a few months ago.

01:07:57.970 --> 01:08:03.650

Dunn, Debra (DOL)

But allowing you to use live records for training purposes.

01:08:04.640 --> 01:08:19.720

Dunn, Debra (DOL)

High level 'cause I can't remember all the nuances of the requirement, but for courts. You can train on using records of those that are already in your court those cases that are in your court.

01:08:20.350 --> 01:08:20.970

Dunn, Debra (DOL)

Uhm.

01:08:21.670 --> 01:08:53.190

Dunn, Debra (DOL)

Uh because you have that permissible use already to look up those records for folks like users and apps. You need to document get the supervisor 's permission to do this training and document that permission so that you know the supervisor knows what's going on because in Deptford. For example, the administrator and managers can look and see what users are doing and if they see that you looked up your own record or the record of a family member for example.

01:08:53.550 --> 01:08:56.820

Dunn, Debra (DOL)

And they're probably going to come ask questions about that.

01:08:58.280 --> 01:09:05.790

Dunn, Debra (DOL)

And so am I getting that permission from the supervisor and the documentation that it that search has been approved.

01:09:06.460 --> 01:09:12.370

Dunn, Debra (DOL)

And then that helps us ensure that the system is being used properly.

01:09:14.540 --> 01:09:17.250

Dunn, Debra (DOL)

Did that help answer? did I did I hit on that one?

01:09:20.250 --> 01:09:22.820

Dunn, Debra (DOL)

Sorry I'm stumbling on this question.

01:09:24.450 --> 01:09:33.320

Dunn, Debra (DOL)

Uh if we didn't get it. Let us know. In the chat and maybe we can just call you and have a conversation and then we can summarize it in the FAQ.

01:09:38.550 --> 01:09:49.680

Dunn, Debra (DOL)

As a wrecking yard. We received junk vehicle affidavit is that we have to check the Vin through E services and see if there is a legal owner.

01:09:50.270 --> 01:10:00.610

Dunn, Debra (DOL)

On the vehicle if there is a legal owner and it is not on the Junkyard Apfa. David we usually turn the vehicle way customer or customer state.

01:10:02.880 --> 01:10:07.690

Dunn, Debra (DOL)

Customer states that law enforcement did not give them the legal owner, so we have.

01:10:08.520 --> 01:10:13.170

Dunn, Debra (DOL)

So how are we supposed to get the legal owner information?

01:10:15.450 --> 01:10:27.490

Dunn, Debra (DOL)

So uh ours authority to give up data to certain entities come from washing our federal and state law.

01:10:28.750 --> 01:10:33.440

Dunn, Debra (DOL)

And so on the federal level, it's a driver Privacy Protection Act.

01:10:34.190 --> 01:10:42.350

Dunn, Debra (DOL)

And a few other things like the motor voter act and that kind of thing where we're required to give up data.

01:10:43.780 --> 01:11:03.670

Dunn, Debra (DOL)

Students can restrict the use even further, they cannot expand what the the federal law allows but we can restrict it further. So then we look at Washington law and typically for vehicle owner information. We look to RCW 4612630.

01:11:05.440 --> 01:11:07.140

Dunn, Debra (DOL)

And the

01:11:07.580 --> 01:11:11.790

Dunn, Debra (DOL)

uh DPA the driver Privacy Protection Act.

01:11:12.760 --> 01:11:14.790

Dunn, Debra (DOL)

Uh so.

01:11:15.450 --> 01:11:22.100

Dunn, Debra (DOL)

Uh I have tried to do some more research on this we are allowed to give.

01:11:22.710 --> 01:11:35.420

Dunn, Debra (DOL)

Uh and uh another separate Washington law. We are actually required to give vehicle owner information to to cut to truck companies to file invented vehicle reports.

01:11:36.050 --> 01:11:56.900

Dunn, Debra (DOL)

I have not been able to find a statute that says that we are required to give or even authorized to give the data to wrecking companies. So then are and if you know of one great. Let us know about it because I love to know about that statute. I've looked for it, having able to find it.

01:11:57.600 --> 01:12:14.150

Dunn, Debra (DOL)

So then what we have to default to is this kind of umbrella requirement excuse me permissible use that's in the driver Privacy Protection Act that says, we can give out the data to anyone for any use as long as they have the vehicle owners consent.

01:12:15.590 --> 01:12:32.980

Dunn, Debra (DOL)

So what I would ask you to do then barring any other statute that allows us to give you the data that you would get that owners consent in writing to look up that information and hang on to that consent because we may audit you on that to make sure that you have the consent.

01:12:34.060 --> 01:12:36.440

Dunn, Debra (DOL)

Uh hum and so.

01:12:38.180 --> 01:12:44.470

Dunn, Debra (DOL)

That's the way we kind of try to figure out how to to accommodate the wrecking yards.

01:12:45.260 --> 01:12:51.170

Dunn, Debra (DOL)

Uhm with still meeting our obligation to follow the laws who we can give the data to and for what purpose.

01:12:52.260 --> 01:12:53.270

Dunn, Debra (DOL)

I hope that helps.

01:13:06.680 --> 01:13:07.720

Dunn, Debra (DOL)

Let's see.

01:13:08.320 --> 01:13:09.960

Dunn, Debra (DOL)

Still, scrolling through questions.

01:13:10.640 --> 01:13:11.880

Dunn, Debra (DOL)

How we doing on time?

01:13:15.000 --> 01:13:25.190

Dunn, Debra (DOL)

It looks like we're coming to the bottom of the questions go. So I hope it'll be. It'll run through these these are a lot different questions by the way then we received yesterday and so.

01:13:25.240 --> 01:13:33.720

Dunn, Debra (DOL)

Uhm feel free to request a copy of yesterdays recording or you know again. We will capture everything in the FA cues and and.

01:13:34.040 --> 01:13:49.790

Dunn, Debra (DOL)

Uh we distribute those out so as a matter of clarification. Can you give a rough estimate slash guidance on what would qualify and entity as a bulk user OK? So yeah, the book term. I need to find a better term for this.

01:13:50.180 --> 01:13:56.010

Dunn, Debra (DOL)

Uh it is more about how you get the data and then the volume of data.

01:13:56.980 --> 01:14:18.330

Dunn, Debra (DOL)

So we have the E Services, where folks log directly into our system going through the SOS secure access. Washington doing multi factor authentication. That kind of thing they log into our systems and they pull the data directly from that using dapps. Diaz contractor plate search driver record request.

01:14:19.310 --> 01:14:21.200

Dunn, Debra (DOL)

Abandoned vehicle reporting.

01:14:25.520 --> 01:14:34.970

Dunn, Debra (DOL)

There may be others that are missing after like missing that bulk ones are where we either are either the ADR.

01:14:35.840 --> 01:14:42.410

Dunn, Debra (DOL)

Slash monitoring web service, it's a web service or a SFTP process basically.

01:14:43.590 --> 01:15:06.930

Dunn, Debra (DOL)

The plate search whether it be a web service or a plate search or you get a unique file from us so we have the state agencies that have a unique file that they get directly from us. It's through what we call the SFTP process secure file transfer protocol process, so it's a web service or SFTP that's what I consider bulk.

01:15:08.220 --> 01:15:12.690

Dunn, Debra (DOL)

It's not a It's a misleading term it's not about the volume.

01:15:13.390 --> 01:15:21.430

Dunn, Debra (DOL)

As much as although in the services typically their lower users of the data not always.

01:15:22.930 --> 01:15:24.080

Dunn, Debra (DOL)

Versus the bulk.

01:15:33.170 --> 01:15:44.120

Dunn, Debra (DOL)

Regarding insurance requirements for Washington state agencies. Will the DSA template be tailored for interagency DSA agreements where the Washington Navy is covered.

01:15:45.010 --> 01:15:47.350

Dunn, Debra (DOL)

Under the self insurance? Yes.

01:15:52.120 --> 01:16:03.330

Dunn, Debra (DOL)

I believe it says actually I think we've kind of genericized the clause that you are either carry a policy or that you are self insured, and have these limits I think.

01:16:04.160 --> 01:16:07.890

Dunn, Debra (DOL)

Uh that it covers both now if I remember correctly.

01:16:09.980 --> 01:16:14.150

Dunn, Debra (DOL)

Erica is looks like this might be for you as Eric mentioned.

01:16:14.810 --> 01:16:41.290

Dunn, Debra (DOL)

The term sub recipient has been an area of confusion regarding the data sharing agreement requirements. Please confirm or clarify expectations around vendors who for example, provide support

or managed IT systems that contain protected data. Even though they don't use the data per say, but may come into contact with that as a support system.

01:16:42.780 --> 01:16:50.090

Dunn, Debra (DOL)

Are they considered sub recipients if? Yes, then uh then the expectation is that our vendor contracts?

01:16:50.790 --> 01:17:05.880

Dunn, Debra (DOL)

With this kind of vendor must include the new exhibit. Yes, that is correct, so it's anybody who has receives the data. You send them a file or whatever who has access to the data.

01:17:06.500 --> 01:17:16.480

Dunn, Debra (DOL)

Uh we can even just look at the data and that sub recipients include for example, if you are using a.

01:17:16.530 --> 01:17:16.970

Dunn, Debra (DOL)

Hey.

01:17:18.260 --> 01:17:48.070

Dunn, Debra (DOL)

Mail mailing company a separate company excuse me to print out parking tickets and mailing it out. That is a sub recipient, even though they are not particularly using the data. They're getting access to that data if you have an IT company, who is supporting your systems. They are a sub recipient because they would have access to the personal protective personal information. If you are using a collection agency.

01:17:48.390 --> 01:17:50.480

Dunn, Debra (DOL)

They are also a sub recipient.

01:17:51.710 --> 01:18:00.980

Dunn, Debra (DOL)

Anyone who gets access can view gets a file whatever if they have access to that personal information they are a sub recipient.

01:18:03.090 --> 01:18:11.570

Dunn, Debra (DOL)

And subject to everything that's in there, Washington agenda. Thank you for that clarification clarifying question I think that has been.

01:18:12.580 --> 01:18:13.150

Dunn, Debra (DOL)

Uh hum.

01:18:14.600 --> 01:18:16.710

Dunn, Debra (DOL)

Pier point of confusion in the past.

01:18:18.530 --> 01:18:20.680

Dunn, Debra (DOL)

Related to JVS.

01:18:21.600 --> 01:18:23.090

Dunn, Debra (DOL)

When you say owners?

01:18:24.990 --> 01:18:29.690

Dunn, Debra (DOL)

Which which owner are you talking about the property owner?

01:18:30.460 --> 01:18:35.740

Dunn, Debra (DOL)

Or the junk vehicle owner it's the vehicle owner that I think that this is related to consent.

01:18:36.490 --> 01:18:39.760

Dunn, Debra (DOL)

We have to get their own the vehicle owner consent.

01:18:42.070 --> 01:18:48.590

Shields, Eric (DOL)

I'm gonna expand on that real quick and then we're going to have to look at the question and we're gonna add some more detail to that VFAQ.

01:18:48.180 --> 01:18:48.440

Dunn, Debra (DOL)

Yeah.

01:18:50.190 --> 01:18:59.190

Shields, Eric (DOL)

'cause I hate that the Gist of it was where they can't locate the owner how you know how are they going to get the information so let us look at that and come up with an answer in the FAQ please.

01:18:50.200 --> 01:18:50.840

Dunn, Debra (DOL)

Thank you.

01:18:54.490 --> 01:18:54.720

Dunn, Debra (DOL)

Or.

01:18:59.770 --> 01:19:00.850

Dunn, Debra (DOL)

Yeah, that is.

01:19:01.590 --> 01:19:04.550

Dunn, Debra (DOL)

Something that we've struggled with a bit on in all honesty.

01:19:07.100 --> 01:19:08.690

Dunn, Debra (DOL)

In the process server.

01:19:09.770 --> 01:19:24.310

Dunn, Debra (DOL)

I or askews me, I'm a process server. The reason I used the site is to locate physical address of the of the defendant. Most of the time people have their own, they have their vehicle registered to appeal address?

01:19:24.900 --> 01:19:30.760

Dunn, Debra (DOL)

Is there a change that can take place that allows process servers to view vehicle?

01:19:31.550 --> 01:19:40.240

Dunn, Debra (DOL)

Physical address is most of the time this is to locate them over the complaint of damages stemming from auto accidents.

01:19:41.140 --> 01:19:49.050

Dunn, Debra (DOL)

There is a statute. I believe that says, and I'll look into this further. It's been a long time since I've looked at that statute that says.

01:19:50.520 --> 01:19:55.340

Dunn, Debra (DOL)

Whenever there is a physical address and A.

01:19:56.510 --> 01:20:03.440

Dunn, Debra (DOL)

A resident or excuse me a residential address and a mailing address and file were only allowed to give out the mailing address.

01:20:05.080 --> 01:20:10.220

Dunn, Debra (DOL)

If you know of a different law. Please let us know I would love to to know that.

01:20:14.490 --> 01:20:25.830

Dunn, Debra (DOL)

And we'll take a look at this further to see if we can figure out something for that. But I believe that if we're talking about contracted plate search.

01:20:26.810 --> 01:20:32.430

Dunn, Debra (DOL)

The system and Susan if you're online. I'm not sure is is.

01:20:33.430 --> 01:20:37.910

Dunn, Debra (DOL)

Programmed potentially to only give out residential address or excuse me.

01:20:38.930 --> 01:20:42.710

Dunn, Debra (DOL)

Billing address when there's 2 addresses on file is that correct.

01:20:43.180 --> 01:20:44.200

Mitchell, Susan (DOL)

Yes, that's correct.

01:20:44.540 --> 01:20:49.020

Dunn, Debra (DOL)

Yeah, so in that case you may have to ask for that information through public disclosure.

01:20:51.530 --> 01:20:51.760

Shields, Eric (DOL)

Now.

01:20:51.540 --> 01:20:52.490

Dunn, Debra (DOL)

We'll put that.

01:20:51.820 --> 01:20:55.850

Shields, Eric (DOL)

Do we have time for one, maybe 2 questions and then we're gonna do our our close up.

01:20:56.720 --> 01:20:58.550

Dunn, Debra (DOL)

OK, I only see 2 more questions left.

01:20:59.510 --> 01:21:03.400

Dunn, Debra (DOL)

Uh with the conversation, we have had around cyber oh.

01:21:04.070 --> 01:21:07.430

Dunn, Debra (DOL)

It jumped cyber and waiver of subrogation.

01:21:08.840 --> 01:21:15.730

Dunn, Debra (DOL)

Assumption is best practice for this type of coverage will be used for the requirements of put out there.

01:21:18.820 --> 01:21:23.830

Dunn, Debra (DOL)

So you know, we're reconsidering that waiver of subrogation, we understand that folks are.

01:21:25.690 --> 01:21:29.130

Dunn, Debra (DOL)

Sometimes not able to get it, so that's part of the conversation that we're having.

01:21:29.620 --> 01:21:35.510

Dunn, Debra (DOL)

Uh probably more information about that as we developed this cyber labor labor.

01:21:36.810 --> 01:21:39.830

Dunn, Debra (DOL)

Cyber liability insurance requirement.

01:21:49.180 --> 01:21:54.890

Dunn, Debra (DOL)

OK public disclosure requests are for attorney attorneys only correct.

01:21:56.200 --> 01:21:57.500

Dunn, Debra (DOL)

Not process servers.

01:21:58.440 --> 01:22:03.160

Dunn, Debra (DOL)

No process servers do have a permissible use under Washington law.

01:22:05.230 --> 01:22:08.640

Dunn, Debra (DOL)

I believe it's not it's under the DPA it's probably under the DPA.

01:22:08.920 --> 01:22:09.200

Shields, Eric (DOL)

Yep.

01:22:09.750 --> 01:22:18.020

Dunn, Debra (DOL)

Uh and so process servers are allowed to get the data. It's just that our system isn't programmed to give you the physical.

01:22:18.720 --> 01:22:29.340

Dunn, Debra (DOL)

Excuse me the residential address and so in order to get that. You would probably just have to request it through public disclosure because our current systems are not programmed to provide that.

01:22:30.930 --> 01:22:32.520

Dunn, Debra (DOL)

OK, so.

01:22:31.930 --> 01:22:40.630

Shields, Eric (DOL)

So Debi there was one more question that you went over, but it was a while. Several liability insurance Bureau requirement for state, local agencies.

01:22:42.450 --> 01:22:42.580

Dunn, Debra (DOL)

If.

01:22:42.640 --> 01:22:46.680

Dunn, Debra (DOL)

Yourself and shoot a That's a good question I believe yes.

01:22:47.760 --> 01:22:53.610

Dunn, Debra (DOL)

But we've done some research and we believe that most state agencies already have it.

01:22:55.180 --> 01:22:55.630

Dunn, Debra (DOL)

So.

01:22:57.280 --> 01:23:09.090

Dunn, Debra (DOL)

OK, I'm I'm gonna hand it over to James go ahead and if you have questions go ahead and continue to put him in the chat. We could at least capture them and answer them in the FAQ&A over James.

01:23:07.880 --> 01:23:08.210

Messer, James (DOL)

Yep.

01:23:10.570 --> 01:23:17.240

Messer, James (DOL)

Thanks Debbie just want to say that I'm sorry off by saying that we do appreciate all the comments and questions that we perceive today.

01:23:17.660 --> 01:23:46.050

Messer, James (DOL)

Uh we would like to go ahead and conclude the meeting by talking about next steps in the process in terms of feedback. We're requesting all feedback. You received by close of business on March 4th for boat contract customers. We ask that you send your feedback to data contracts at DL dot law.gov and 4. East service customers. Please send your feedback to data services at DL dot.gov.

01:23:46.620 --> 01:23:59.230

Messer, James (DOL)

Uh we will be reviewing all feedback and make any applicable changes to the documents as Debbie mentioned earlier once all feedback has been received we will develop and distribute that fake you.

01:24:00.180 --> 01:24:23.100

Messer, James (DOL)

In regard to the Washington administrative code. We wanted to talk a little bit about the 3 phase process for rulemaking. We're currently finishing up CR 101 or phase. One of the rulemaking process, which is to invite the public to participate in discussion and possible rulemaking before any formal notice or action is taken will be moving into CR 102, which is the proposal proposal of rulemaking.

01:24:23.750 --> 01:24:32.640

Messer, James (DOL)

Uh in this phase will be holding a public hearing and will notify you a minimum of 20 days in advance of the public hearing and do encourage you to to participate in that.

01:24:33.310 --> 01:24:51.820

Messer, James (DOL)

Uh once they've completed CR 102 will move into CR 103, which is rulemaking adoption after the rules approved the rules filed with the office of the code reviser to be put into affect our goal is to have this process completed and the new wack adopted for November first effective date.

01:24:53.260 --> 01:25:05.150

Messer, James (DOL)

As for contracts will be requiring new applications, which must be updated incomplete. I will notify you when we're ready to begin accepting those applications, which we anticipate will be sometime in the spring.

01:25:05.810 --> 01:25:20.470

Messer, James (DOL)

The application process on a first come first serve basis and if an application is incomplete. It will be sent back for Corrections. We will be again, issuing new contracts this summer with an effective date of November, first 2022.

01:25:21.090 --> 01:25:30.390

Messer, James (DOL)

Uh so those are the the next steps in the process. We do want to thank you. All for taking the time to be here today and we appreciate any feedback that you provide?

01:25:35.190 --> 01:25:36.000

Dunn, Debra (DOL)

Thank you everyone.

01:25:35.500 --> 01:25:36.050

Messer, James (DOL)

Thank you.

01:25:37.610 --> 01:25:49.920

Dunn, Debra (DOL)

Go ahead and send questions to our group email boxes if you have them and let us know if you would like a recording of this, or both recorded webinars. Thank you goodbye.

01:25:49.500 --> 01:25:50.060

Messer, James (DOL)

Thank you.

01:25:55.960 --> 01:25:56.740

James, Katie M.

Thanks, Debbie.

01:25:56.000 --> 01:25:56.380

Galloway, Kristina

Thank you.