



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

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PennDOT

Good morning. My name is Kurt Myers, and I am the Deputy Secretary for Driver and Vehicle Services at the Pennsylvania Department of Transportation (PennDOT). On behalf of Secretary Gramian, thank you for the opportunity to discuss HB 2088.

PennDOT is responsible for protecting the confidentiality of our customers' personal identifiable information (PII). We take that responsibility very seriously and are focused on maintaining the integrity of the process to ensure only those who truly need access and are authorized by the Pennsylvania Vehicle Code and the federal Driver's Privacy Protection Act (DPPA) have access. When authorized, access may occur either through law enforcement systems or directly through PennDOT, either in real time or by submitting a form to our Risk Management Office.

HB 2088 would require the PA Justice Network (JNET) and PennDOT to give access to all 10.1 million driver license (DL)/identification (ID) card records and customers' PII to elected county coroners in real time. This would include access to the approximately 177 thousand customers who have entrusted PennDOT with their emergency contact information. Their trust is founded on PennDOT's assurance that their emergency contact information would be available only to law enforcement for official purposes.

As you may be aware, the issue HB 2088 is attempting to address began in 2020 and carried over into 2021. At that time, of the 67 counties in Pennsylvania, only 11 counties' coroners had requested from JNET and been given access to PennDOT's customers' PII by JNET. An audit of those coroners' access by JNET prompted PennDOT to conduct its own review of the coroners' continued access. JNET also informed PennDOT that a Coroner's office is not a criminal justice agency under the FBI CJIS Security Policy nor the Pennsylvania Criminal History Record Information Act and is not able to access many types of information that are restricted to law enforcement. PennDOT directed JNET to end the 11 coroners' access to its customers' PII. Subsequently, PennDOT received a request from the then president of the coroner's association to reinstate access to PennDOT's customers' PII through JNET for not only the 11 coroners but also for all the Commonwealth's coroners. PennDOT denied that request for access.



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PennDOT continues to allow coroners to receive customers' PII as part of a death investigation if they submit a request to PennDOT's Driver and Vehicle Services Risk Management Office. The request must have proper documentation and an explanation of the need for the customers' PII. PennDOT receives a small number of these requests each year. In fact, since May 19, 2021, when JNET ended the 11 coroners' access, PennDOT has received only four requests from the Commonwealth's coroners. Requests submitted by coroners to the Risk Management Office are given high priority over most requests that are pending and are responded to within the same business day.

In addition, HB 2088 would require PennDOT to allow customers to submit their next of kin and personal medical information on a form when they apply for or renew their DL or ID cards. PennDOT's automated mail opening and processing equipment does not have the ability to read handwritten text from a form. Not only would PennDOT need to expand the application forms to include space for next of kin and medical information, but systems changes would also be needed to process and record that information. The information we collect and currently store on our DL database is related to personal identification and driving history. The DL system is not designed to store such personal medical information.

For the above stated reasons, PennDOT would respectfully oppose this legislation. I would be happy to take any questions from the committee at this time.