



South Carolina Department of Motor Vehicles
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

Name: Laura J. Bayne Employee ID #: _____
 Division: Chief of Staff Office / Unit: Legislative Affairs
 Position Classification: Deputy Director
 Date Assigned to Current Position (MM-DD-YY): 07 - 11 - 16
 Performance Review From (MM-DD-YY): 02 - 17 - 18 To: 02 - 16 - 19

TYPE OF EVALUATION (Please check one): Universal/Annual Short Year/Universal Trial Period
 Probationary Substandard Performance Special/Close-Out

PLANNING STAGE ACKNOWLEDGEMENT

Signature/ Rating Officer: [Signature] Date: 12-7-18
 Print Name: John F. Laganelli Phone #: (803) 896 - 9010
 Signature/ Reviewed by: _____ Date: - -
 Print Name: Kevin A. Shwedo Phone #: (803) 896 - 8924
 Signature/ Employee: [Signature] Date: 12-7-17
 Print Name: Laura J. Bayne

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

Check if applicable: Planning stage was not completed at the beginning of the rating period. This is to acknowledge that both the employee and rating officer agree that the duties and success criteria by which the rating will be done is acceptable.

EVALUATION STAGE ACKNOWLEDGEMENT

Signature/ Rating Officer: _____ Date: - -
 Print Name: John F. Laganelli Phone #: (803) 896 - 9010
 Signature/ Reviewed by: _____ Date: - -
 Print Name: Kevin A. Shwedo Phone #: (803) 896 - 8924

Reviewing Officer Comments: _____

Signature/ Employee: _____ Date: - -
 Print Name: Laura J. Bayne

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor – not that I necessarily agree.)

Employee Comments: _____

APPRAISAL RESULTS (Total)	_____
Total is to be placed here before submitting to Human Resources but AFTER meeting with employee.	



South Carolina Department of Motor Vehicles

EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

JOB DUTIES

*Each job duty should be identified as being essential or not by selecting Yes or No.
An essential job function is defined as a job function, which has primary importance to the total position.*

1. Job Duty: Act as a liaison on legislative and, when required, budget matters to staff and members of the General Assembly and to other state government officials, including the Governor's Office. Analyses legislative, legal and policy issues related to DMV policies, programs, and services.	Essential	Weight Factor	Performance Level
Success Criteria: Stays abreast of changes in legislative matters that affect DMV with a daily (during the legislative session) review of legislative matters and reports to identify bills with impact or potential impact on DMV; reviews and updates reporting bill status; obtains impact statements from DMV staff; and meets during legislative session with Executive Director, Directors and General Counsel to plan the weekly legislative activities. Provides information about how proposals affect DMV needs and core missions; assures review and responses from DMV are timely and complete. Attends legislative committee and subcommittee meetings and reports on proceedings, responds to constituent matters brought to his attention by staff and members of the General Assembly and other agencies. Coordinates with Director of Administration to ensure agency compliance with all budget-related fiscal and proviso reports due to elected officials, assuring timely submission of all reports.	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	50	
2. Job Duty: Directs the Strategic Communications, Constituent Services, and Audit staff in complex and varied assignments including distribution of news relating to the agency. Directs timely and accurate dissemination of press releases, FOIA requests and responses to media and constituent inquires and internal audit reviews.	Essential	Weight Factor	Performance Level
Success Criteria: Constituent inquires, press releases, FOIA requests, and internal audit reviews are completed accurately and in a timely manner.	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	25	
3. Job Duty: Serves as liaison between DMV and other agencies and stakeholders. Assists with the promulgation of regulations, specifically by advising on the components that involve the legislative review process and in areas of news relating to or affecting DMV.	Essential	Weight Factor	Performance Level
Success Criteria: Establish and maintain good stakeholder and government relations.	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	15	
4. Job Duty: Deputy Operations Officer. Provides consultation and participates in executive level planning and decision-making processes as needed and directed. As well as other special projects assigned by the Executive Director and/or Chief of Staff.	Essential	Weight Factor	Performance Level
Success Criteria:	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	10	
5. Job Duty:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		
6. Job Duty:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		
7. Job Duty:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		



South Carolina Department of Motor Vehicles

EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

8. Job Duty:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

ACTUAL PERFORMANCE

Please provide a brief description of the employee's actual performance during this rating period. Please be specific and use examples of work performed, where appropriate.

OBJECTIVES

(Optional)

Each job duty should be identified as being essential or not by selecting Yes or No.

An essential objective is defined as a non-recurring task or assignment, which has primary importance to the total position.

1. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

2. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

3. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

4. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

5. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

ACTUAL PERFORMANCE

Please provide a brief description of the employee's actual performance during this rating period. Please be specific and use examples of work performed, where appropriate.

PERFORMANCE CHARACTERISTICS/COMPETENCIES

- See EPMS Performance Characteristics/Competencies
- See EMPS Competency Dictionary

1. Characteristic/Competency:	Weight Factor	Performance Level
Success Criteria:		

2. Characteristic/Competency:	Weight Factor	Performance Level
Success Criteria:		



South Carolina Department of Motor Vehicles
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

3. Characteristic/Competency:	Weight Factor	Performance Level
Success Criteria:		

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, area needing improvement, and steps to improve present and future performance:

APPRAISAL RESULTS

Exceptional Successful Unsuccessful



South Carolina Department of Motor Vehicles

EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

Name: Laura J. Bayne Employee ID #: _____
 Division: Chief of Staff Office / Unit: Legislative Affairs
 Position Classification: Deputy Director
 Date Assigned to Current Position (MM-DD-YY): 07 - 11 - 16
 Performance Review From (MM-DD-YY): 07 - 11 - 17 To: 02 - 16 - 18

TYPE OF EVALUATION (Please check one): Universal/Annual Short Year/Universal Trial Period
 Probationary Substandard Performance Special/Close-Out

PLANNING STAGE ACKNOWLEDGEMENT

Signature/ Rating Officer: *John F. Laganelli* Date: 12-7-17
 Print Name: John F. Laganelli Phone #: (803) 896-9010
 Signature/ Reviewed by: _____ Date: - -
 Print Name: Kevin A. Shwedo Phone #: (803) 896-8924
 Signature/ Employee: *Laura J. Bayne* Date: 12-7-2017
 Print Name: Laura J. Bayne

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

Check if applicable: Planning stage was not completed at the beginning of the rating period. This is to acknowledge that both the employee and rating officer agree that the duties and success criteria by which the rating will be done is acceptable.

EVALUATION STAGE ACKNOWLEDGEMENT

Signature/ Rating Officer: *John F. Laganelli* Date: 12-7-17
 Print Name: John F. Laganelli Phone #: (803) 896-9010
 Signature/ Reviewed by: *Kevin A. Shwedo* Date: - -
 Print Name: Kevin A. Shwedo Phone #: (803) 896-8924

Reviewing Officer Comments: _____

Signature/ Employee: *Laura J. Bayne* Date: 12-7-2017
 Print Name: Laura J. Bayne

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor – not that I necessarily agree.)

Employee Comments: _____

APPRAISAL RESULTS (Total)	2.85
Total is to be placed here before submitting to Human Resources but AFTER meeting with employee.	



South Carolina Department of Motor Vehicles

EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

JOB DUTIES

*Each job duty should be identified as being essential or not by selecting Yes or No.
An essential job function is defined as a job function, which has primary importance to the total position.*

<p>1. Job Duty: Act as a liaison on legislative and, when required, budget matters to staff and members of the General Assembly and to other state government officials, including the Governor's Office. Analyses legislative, legal and policy issues related to DMV policies, programs, and services.</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria: Stays abreast of changes in legislative matters that affect DMV with a daily (during the legislative session) review of legislative matters and reports to identify bills with impact or potential impact on DMV; reviews and updates reporting bill status; obtains impact statements from DMV staff; and meets during legislative session with Executive Director, Directors and General Counsel to plan the weekly legislative activities. Provides information about how proposals affect DMV needs and core missions; assures review and responses from DMV are timely and complete. Attends legislative committee and subcommittee meetings and reports on proceedings, responds to constituent matters brought to her attention by staff and members of the General Assembly and other agencies. Coordinates with Director of Administration to ensure agency compliance with all budget-related fiscal and proviso reports due to elected officials, assuring timely submission of all reports.</p>	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	50	E
<p>2. Job Duty: Directs the Strategic Communications, Constituent Services, and Audit staff in complex and varied assignments including distribution of news relating to the agency. Directs timely and accurate dissemination of press releases, FOIA requests and responses to media and constituent inquires and internal audit reviews.</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria: Constituent inquires, press releases, FOIA requests, and internal audit reviews are completed accurately and in a timely manner.</p>	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	25	E
<p>3. Job Duty: Serves as liaison between DMV and other agencies and stakeholders. Assists with the promulgation of regulations, specifically by advising on the components that involve the legislative review process and in areas of news relating to or affecting DMV.</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria: Establish and maintain good stakeholder and government relations.</p>	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	15	S
<p>4. Job Duty: Deputy Operations Officer. Provides consultation and participates in executive level planning and decision-making processes as needed and directed. As well as other special projects assigned by the Executive Director and/or Chief of Staff.</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria:</p>	<input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No	10	E
<p>5. Job Duty:</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria:</p>	<input type="checkbox"/> Yes or <input type="checkbox"/> No		
<p>6. Job Duty:</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria:</p>	<input type="checkbox"/> Yes or <input type="checkbox"/> No		
<p>7. Job Duty:</p>	Essential	Weight Factor	Performance Level
<p>Success Criteria:</p>	<input type="checkbox"/> Yes or <input type="checkbox"/> No		



South Carolina Department of Motor Vehicles

EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

8. Job Duty:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

ACTUAL PERFORMANCE

Please provide a brief description of the employee's actual performance during this rating period. Please be specific and use examples of work performed, where appropriate.

OBJECTIVES

(Optional)

Each job duty should be identified as being essential or not by selecting Yes or No.

An essential objective is defined as a non-recurring task or assignment, which has primary importance to the total position.

1. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

2. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

3. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

4. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

5. Objective:	Essential	Weight Factor	Performance Level
Success Criteria:	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

ACTUAL PERFORMANCE

Please provide a brief description of the employee's actual performance during this rating period. Please be specific and use examples of work performed, where appropriate.

Laura has continued with her exceptional leadership of the Agency's Legislative Affairs, Constituent Services and Strategic Communications Departments. During this shortened rating period she has expanded on a great start last legislative session by researching and drafting our 2018 legislative priorities; working extensively with the Executive Branch in building understanding and consensus for our 2018 legislative package as well as tying that package with our fiscal year 2019 budgetary submission.

She coordinated and led a very successful stakeholder's meeting ensuring their understanding of our legislative initiatives and continues to coordinate with stakeholders to ensure their concerns and desires are addressed and we build consensus prior to the subcommittee and full committee calendars begin.

Her leadership and steady guidance over Constituent Services has promoted a level of customer service to legislators, the general public and other state agencies on critical constituent issues. Constituent Services handles hundreds of complex and challenging issues every month informing SCDMV leadership on trends and challenges while fostering positive relationships across the state.

Laura took on the responsibility of coordinating our Accountability Report submission for 2017 – a critical document that ties goals and objectives with measurable accomplishments and informs the public and legislature on SCDMV's critical capabilities, achievements and risks. She also led a detailed, future looking strategic update, which helped inform our out year initiatives, legislative, and budgetary needs and desires.

The Strategic Communications department has significantly increased Social Media presence and capabilities during this past five months. Helping design and award winning website as well as creating a multimedia information campaign crucial to informing the SC public on upcoming changes to driver's licenses and IDs and a transition to compliance with the Federal Real ID Act.

Overall a rating period packed with significant exceptional accomplishments.



South Carolina Department of Motor Vehicles
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

HR-204B
(Rev. 11/15)

--

PERFORMANCE CHARACTERISTICS/COMPETENCIES

- See EPMS Performance Characteristics/Competencies
- See EMPS Competency Dictionary

1. Characteristic/Competency:	Weight Factor	Performance Level
Success Criteria:		
2. Characteristic/Competency:	Weight Factor	Performance Level
Success Criteria:		
3. Characteristic/Competency:	Weight Factor	Performance Level
Success Criteria:		

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, area needing improvement, and steps to improve present and future performance:

--

APPRAISAL RESULTS

Exceptional

Successful

Unsuccessful



**South Carolina Department of Motor Vehicles
EPMS WEIGHTED SYSTEM - WORK FORM**

HR-204A
(Rev. 11/15)

DUTIES:

Laura Bayne 11 July 2017 - 16 February 2018

Duty	Weight Factor	%	Performance Rating Level	Value	=	Total Score
Duty 1	50	%	E	3	=	150
Duty 2	25	%	E	3	=	75
Duty 3	15	%	S	2	=	30
Duty 4	10	%	E	3	=	30
Duty 5		%	Select One	0	=	0
Duty 6		%	Select One	0	=	0
Duty 7		%	Select One	0	=	0
Duty 8		%	Select One	0	=	0
Duty 9		%	Select One	0	=	0
Duty 10		%	Select One	0	=	0

OBJECTIVES:

Duty	Weight Factor	%	Performance Rating Level	Value	=	Total Score
Objective 1		%	Select One	0	=	0
Objective 2		%	Select One	0	=	0
Objective 3		%	Select One	0	=	0

PERFORMANCE CHARACTERISTICS/COMPETENCIES:

Duty	Weight Factor	%	Performance Rating Level	Value	=	Total Score
Characteristic/Competency 1		%	Select One	0	=	0
Characteristic/Competency 2		%	Select One	0	=	0
Characteristic/Competency 3		%	Select One	0	=	0

TOTALS	100	%				285
---------------	------------	----------	--	--	--	------------

OVERALL RATING: 2.85
PERFORMANCE REQUIREMENT RATING: EXCEPTIONAL



South Carolina Department of Motor Vehicles

EMPLOYEE ACKNOWLEDGMENT OF DUTY OF NON-DISCLOSURE AND DUE DILIGENCE

AD-503A
(Rev. 6/16)

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

This is an acknowledgment of the employee's obligations to protect personal or sensitive information from wrongful or unlawful disclosure and to protect the SCDMV computer network.

I, Laura Payne, acknowledge that, as an employee of the SCDMV, I am in frequent contact with sensitive Personally Identifiable Information (PII). I am also aware that SCDMV strives to protect the citizens of South Carolina from fraud or invasion of privacy by safeguarding their PII.

I understand that SCDMV defines PII as any representation of information that permits the identity of an individual to whom the information applies to be reasonably gathered or figured out by any means.

Below is a listing of PII based on situations that routinely occur in the SCDMV. The information below should be considered in its entirety. This information is grouped according to Customer Records, Employee Records, Commercial Solicitation and Combinations of Information that can constitute PII.

1. Customer Records

a. In all cases for Customer Records, PII specifically includes:

- 1) an individual's photograph or digitized image;
- 2) social security numbers;
- 3) name;
- 4) address (but not the 5-digit zip code);
- 5) telephone number;
- 6) dates of birth;
- 7) driver's license or identification number;
- 8) home telephone number;
- 9) medical or disability information;
- 10) checking account numbers;
- 11) savings account numbers;
- 12) credit card numbers;
- 13) debit card numbers;
- 14) personal identification (PIN) numbers;
- 15) electronic identification numbers; and
- 16) digital signatures.

b. In all cases for Customer Records, the following PII shall be considered "highly restricted personal information":

- 1) social security number;
- 2) an individual's photograph or digitized image; and
- 3) medical or disability information.

2. Employee Records (In all cases)

- a. Social security numbers;
- b. Dates of birth;
- c. Home address;
- d. Home telephone numbers;
- e. Personal cell phone numbers; and
- f. Medical and/or disability information.

3. Commercial Solicitation

The following information is PII only for purposes of commercial solicitation as defined in the Family Privacy Protection Act SC Code §30-2-10:

- a. education level;
- b. financial status;
- c. account or identification number issued by or used, or both, by any federal or state governmental agency or private financial institution;
- d. employment history;
- e. height;



South Carolina Department of Motor Vehicles

EMPLOYEE ACKNOWLEDGMENT OF DUTY OF NON-DISCLOSURE AND DUE DILIGENCE

AD-503A
(Rev. 6/16)

- f. weight;
- g. race;
- h. other physical details;
- i. signature;
- j. biometric identifiers; and
- k. any credit records or reports.

4. Combinations of Information

Although individually these items may already be PII based on the lists above (for example, a social security number by itself), the following information is also PII when two (2) or more of these pieces of information are together:

- a. Current or former names, including first and last names, middle and last names, or first, middle, and last names (not including electronic identification names or parent's legal surname before marriage);
- b. Current or former addresses (not including electronic mail addresses);
- c. dates of birth;
- d. driver's license or identification number;
- e. checking account numbers;
- f. savings account numbers;
- g. credit card numbers;
- h. debit card numbers;
- i. personal identification (PIN) numbers;
- j. electronic identification numbers;
- k. digital signatures; and
- l. other numbers, passwords, or information which may be used to access a person's financial resources, numbers, or information issued by a governmental or regulatory entity that uniquely will identify an individual or an individual's financial resources.

I further acknowledge:

- My job responsibilities at SCDMV require me to have access to computer systems which contain PII. I will not view, print, download, transfer or release any stored data, including PII, unless a specific job related duty requires me to do so.
- I will, to the best of my ability, safeguard all aspects of South Carolina citizens' PII. This includes but is not limited to all computer and hard copy data.
- I will, to the best of my ability, safeguard and protect any and all types of PII of SCDMV employees, and sensitive information related to SCDMV operations.
- I will, to the best of my ability, safeguard and protect the SCDMV computer network. This includes but is not limited to ensuring that I take all due diligence precautions regarding network security.

I understand that if I make any improper disclosure of such personal information from any other person's driver or vehicle file, a report of such disclosure will be made and placed in my Department personnel file. I further understand that disciplinary actions against me will be imposed pursuant to the Department's Corrective Action Policy HR-202, up to and including my termination from employment.

In addition, I have been advised that if I knowingly or willfully breach my duty of non-disclosure, I may face criminal charges, including but not limited to penalties under title 18 of the United States Code, in addition to civil liability for damages, punitive damages and attorneys' fees. I likewise acknowledge that if I breach my duty of due diligence I may likewise incur civil liability as allowed by law.

Printed name: Laura Bayne (Employee's Name)

Signature: *Laura Bayne* Date: 12-7-17

The signing of this acknowledgement was witnessed by:

Printed name: John Lyons II (Witness' Name)

Signature: *John Lyons II* Date: 12-7-17



South Carolina Department of Motor Vehicles

EMPLOYEE ACKNOWLEDGMENT OF DUTY OF NON-DISCLOSURE AND DUE DILIGENCE

AD-503A
(Rev. 6/16)

The Following Codes of Law pertain to Form AD-503A, Employee Acknowledgement of Duty of Non-Disclosure and Due Diligence:

SECTION 30-4-160 of the 1976 South Carolina Code of Laws

Sale of Social Security number or driver's license photograph or signature.

- (A) This chapter does not allow the Department of Motor Vehicles to sell, provide, or otherwise furnish to a private party Social Security numbers in its records, copies of photographs, or signatures, whether digitized or not, taken for the purpose of a driver's license or personal identification card.
- (B) Photographs, signatures, and digitized images from a driver's license or personal identification card are not public records.

SECTION 30-4-165 of the 1976 South Carolina Code of Laws

Privacy of driver's license information.

- (A) The Department of Motor Vehicles may not sell, provide, or furnish to a private party a person's height, weight, race, social security number, photograph, or signature in any form that has been compiled for the purpose of issuing the person a driver's license or special identification card. The department shall not release to a private party any part of the record of a person under fifteen years of age who has applied for or has been issued a special identification card.
- (B) A person's height, weight, race, photograph, signature, and digitized image contained in his driver's license or special identification card record are not public records.
- (C) Notwithstanding another provision of law, a private person or private entity shall not use an electronically-stored version of a person's photograph, social security number, height, weight, race, or signature for any purpose, when the electronically-stored information was obtained from a driver's license record.

SECTION 30-2-20 of the 1976 South Carolina Code of Laws

Privacy policies and procedures required of all state entities.

All state agencies, boards, commissions, institutions, departments, and other state entities, by whatever name known, must develop privacy policies and procedures to ensure that the collection of personal information pertaining to citizens of the State is limited to such personal information required by any such agency, board, commission, institution, department, or other state entity and necessary to fulfill a legitimate public purpose.

US CODE Title 18 Chapter 123 § 2721.

Prohibition on release and use of certain personal information from State motor vehicle records

- (A) In General.— A State department of motor vehicles, and any officer, employee, or contractor thereof, shall not knowingly disclose or otherwise make available to any person or entity:
 - 1) personal information, as defined in 18 U.S.C. 2725 (3), about any individual obtained by the department in connection with a motor vehicle record, except as provided in subsection (b) of this section; or
 - 2) highly restricted personal information, as defined in 18 U.S.C. 2725 (4), about any individual obtained by the department in connection with a motor vehicle record, without the express consent of the person to whom such information applies, except uses permitted in subsections (b)(1), (b)(4), (b)(6), and (b)(9): Provided, That subsection (a)(2) shall not in any way affect the use of organ donation information on an individual's driver's license or affect the administration of organ donation initiatives in the States.
- (B) Permissible Uses.— Personal information referred to in subsection (a) shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of titles I and IV of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and chapters 301, 305, and 321–331 of title 49, and, subject to subsection (a)(2), may be disclosed as follows:
 - 1) For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
 - 2) For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle



South Carolina Department of Motor Vehicles

EMPLOYEE ACKNOWLEDGMENT OF DUTY OF NON-DISCLOSURE AND DUE DILIGENCE

AD-503A
(Rev. 6/16)

- parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.
- 3) For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only—
 - a) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and
 - b) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
 - 4) For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.
 - 5) For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.
 - 6) For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
 - 7) For use in providing notice to the owners of towed or impounded vehicles.
 - 8) For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
 - 9) For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under chapter 313 of title 49.
 - 10) For use in connection with the operation of private toll transportation facilities.
 - 11) For any other use in response to requests for individual motor vehicle records if the State has obtained the express consent of the person to whom such personal information pertains.
 - 12) For bulk distribution for surveys, marketing or solicitations if the State has obtained the express consent of the person to whom such personal information pertains.
 - 13) For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
 - 14) For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.
- (C) Resale or Redisclosure.— An authorized recipient of personal information (except a recipient under subsection (b)(11) or (12)) may resell or redisclose the information only for a use permitted under subsection (b) (but not for uses under subsection (b)(11) or (12)). An authorized recipient under subsection (b)(11) may resell or redisclose personal information for any purpose. An authorized recipient under subsection (b)(12) may resell or redisclose personal information pursuant to subsection (b)(12). Any authorized recipient (except a recipient under subsection (b)(11)) that resells or rediscloses personal information covered by this chapter must keep for a period of 5 years records identifiable each person or entity that receives information and the permitted purpose for which the information will be used and must make such records available to the motor vehicle department upon request.
- (D) Waiver Procedures.— A State motor vehicle department may establish and carry out procedures under which the department or its agents, upon receiving a request for personal information that does not fall within one of the exceptions in subsection (b), may mail a copy of the request to the individual about whom the information was requested, informing such individual of the request, together with a statement to the effect that the information will not be released unless the individual waives such individual's right to privacy under this section.
- (E) Prohibition on Conditions.— No State may condition or burden in any way the issuance of an individual's motor vehicle record as defined in 18 U.S.C. 2725 (1) to obtain express consent. Nothing in this paragraph shall be construed to prohibit a State from charging an administrative fee for issuance of a motor vehicle record.