



Employer Compliance Requirements and Information

The following highlights information related to Federal and State Laws as well as the most significant regulatory issues concerning Motor Vehicle Records and other consumer reports.

- ❑ Anytime an employment record request is made, a signed release by the person for whom the report is ordered must be received and maintained by the customer ordering the report. We recommend that copies of releases should be maintained for a period of at least five (5) years from the request date, unless state requirements are applicable. (see Sample Disclosure & Release at www.iix.com/forms.htm)
- ❑ The reports that your company obtains from iiX may not be offered for sale over the internet, sent via email or provided to a third party.
- ❑ When a report is ordered, you cannot pass this information to a third party (i.e., employer to insurance agent or insurance agent to employer) either in verbal or written form. This is due to Fair Credit Reporting Act (FCRA) regulations that state a report that could be used in an employment decision is a “consumer report”. Consumer reports have stringent guidelines and restrictions regarding their use, and any reports ordered through iiX must be identified as an “insurance” **or** “employment” request when first ordered, and cannot be used for dual purposes.
- ❑ It is recommended that you do not provide the report to the consumer directly, **unless** you are taking an adverse action against the consumer, such as denial of employment. In the instance of an adverse action, you must provide a copy of the MVR along with a copy of the consumer’s rights under FCRA (available on our website at www.iix.com/forms.htm) and provide them with iiX’s toll free phone number (as the consumer reporting agency).
- ❑ Employment customers must enter first name, last name, drivers license number and date of birth (if required by requested state) to receive MVRs.
- ❑ iiX conducts random audits to ensure compliance measures are maintained.
- ❑ Required State Forms may be found on our website at www.iix.com/forms.htm; utilize the appropriate form for your business needs, (i.e. Employment). Washington state MVR access must be approved by an iiX Compliance Department representative. Some states require State Form renewal. In these instances, iiX will notify you via fax or phone at least a month prior to expiration. An updated form must be received prior to the expiration date for continued access to that state’s MVR data.
- ❑ State Specific Information – MVRs
 - Arkansas – Forms of Authorization “a release signed...shall remain in force for a period of five (5) years from the date signed by the driver per Arkansas Code Ann. 27-50-908
 - California – Continuing consent concept is inapplicable and a separate authorization must be requested each time a report is ordered. - CA Civ. Code 1786.16 (a)(2). In addition, please refer to your CA Requestor Account Agreement and applicable statutes including but not limited to CA Civ Code 1786.16 (a)(2).
 - Nebraska – NE RS 60-2907 requires that a complete and notarized NE Authorization to Obtain Copy of Driving Records be obtained for all non-CDL employment requests. The Nebraska Authorization is included in iiX’s Sample Disclosure & Release.
 - New Hampshire – Release shall be kept for no more than 2 years from date of signature. - NH:RSA 260:14V. (c)(2)(D)

Federal Laws regarding appropriate uses of MVR and other reports are available on our website at www.iix.com/forms. If you have any questions regarding the above information, please contact the Compliance department at 800-299-7099, ext 232.