



Employer Compliance Information

To help make our customers aware of pertinent federal and state requirements and regulatory issues surrounding Motor Vehicle Records (“MVRs”) and other consumer reports, we have compiled certain information. It is not intended to supply legal advice and should not be construed as such.

- ❑ Federal laws regarding appropriate uses of MVR and other reports are available on our website at www.iiX.com.
- ❑ To help ensure compliance with state and federal requirements, our customers undergo a credentialing process before their accounts are activated, which might include an on-site visit. We also conduct random audits of customers to verify compliance with requirements in subscription agreements, including the “sole use” provision and adherence to applicable laws. Certain states also identify customers for audit.
- ❑ Whenever a record is ordered for employment purposes, the ordering customer must have in hand a release signed by the person about whom the report is being ordered. The release must be retained by the customer for at least five (5) years from the request date, unless different state requirements apply. (See Sample Disclosure and Release on our website at www.iiX.com.)
- ❑ iiX requires customers to state the purpose for which reports are being ordered. An MVR is to be ordered for a single purpose and a single use. You cannot pass the report or the information in it to a third party, either in written or oral form. For example, you cannot supply a report you have ordered for employment purposes to your insurance company or insurance agent, who might wish to use it for insurance purposes. Use of a single MVR for dual purposes does not comply with iiX’s subscription agreements, which reflect mandates of the state-federal framework to protect consumer privacy. In addition, individual states strictly constrain access to MVRs, with the express or implicit restriction of a single-purpose use.
- ❑ Records on the ordering and use of each MVR must be maintained for a period of five (5) years.
- ❑ The reports that your company obtains through iiX may not be offered for sale. Material containing personal information, such as MVRs, must be kept confidential, and customers agree to ensure the security and confidentiality of personal information. Certain states prohibit access to MVRs by offshore users.
- ❑ Forms required by specific states before access to those states’ MVRs is permitted may be found on our website at www.iiX.com under State Forms. Washington state MVR access must be approved by an iiX Compliance Department representative. Some states require that their forms be renewed annually or biannually. In these instances, iiX will notify you via fax or telephone at least a month before the form expires. An updated form must be received before the expiration date for continued access to that state’s MVR data.
- ❑ If you rely on a consumer report such as an MVR in whole or in part in taking an adverse action against the consumer, such as denying employment, you must provide a copy of the report to that consumer. You also must provide the consumer with a copy of his/her rights under the FCRA (available on our website at www.iiX.com) and provide the consumer with iiX’s toll free phone number. Note that Arkansas and North Dakota will send a written notice to the consumer when an MVR is requested for any reason.
- ❑ Examples of State Specific Information – MVRs
 - Arkansas – A signed release remains in force for a period of five (5) years from the date signed by the driver. Ark. Code Ann. § 27-50-908
 - California – The continuing consent concept is inapplicable. A separate authorization must be requested each time a report is ordered. Cal. Civ. Code 1786.16 (a)(2). Also consult your California Requestor Account Agreement and applicable statutes, including Cal. Civ. Code §1786.16 (a)(2).
 - Nebraska – Neb. Rev. Stat. § 60-2907 requires that a complete and notarized Nebraska 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 and Release at www.iiX.com.
 - New Hampshire – The release is to be kept for no more than two years from the date of signature. N.H. RSA § 260:14V. (c)(2)(D).

If you have questions about this information, please contact the Compliance Department at 800-299-7099, ext. 232.