Offices of the Inspector General

LUCY LANG
Inspector General

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April 3, 2025

Mark J.F. Schroeder
Commissioner
New York State Department of Motor Vehicles
6 Empire State Plaza
Albany, New York 12228

Re: NYSIG 0381-014-2024

Dear Commissioner Schroeder:

In February 2024, the Office of the New York State Inspector General received information indicating that New York State Department of Motor Vehicles (DMV) Motor Vehicle Representative [redacted] may have been accessing personal driver information in DMV's Common Portal to Search Services (COMPASS) database without authorization. The following is a summary of the Inspector General's investigation of this allegation.

[redacted] duties as a motor vehicle representative in DMV's Coney Island office grant her regular access to DMV databases including COMPASS, a system used to process licenses and registrations. The Inspector General reviewed [redacted] COMPASS searches during the period of October 2023 through February 2024 and observed that [redacted] accessed COMPASS records for a specific person on three dates.

[redacted] testified to the Inspector General that she did not remember accessing COMPASS to search the name of the person, but if she had done so, it could have been at the request of a friend, a [redacted], who was romantically involved with the person whose information was searched. [redacted] further testified that she knew the [redacted] request was personal, not professional, and according to her understanding of DMV policy, DMV prohibits such searches unless a person is requesting information about themselves and is present in the DMV office while making the request.

Contrary to [redacted] testimony, the [redacted] denied ever making any such request of [redacted] Moreover, the person whose information had been searched reported to the [redacted] Sheriff's Office that he had never been to DMV's Coney Island office, had never requested that the [redacted] request his driver information for him, and never sought the same directly from [redacted]

Both federal law and DMV policy prohibit the unauthorized access, viewing, and/or sharing of motor vehicle records. DMV's Computer Use Policy mandates that State-owned computers be used by DMV employees "only for official business" and that any inappropriate use may result in counseling, disciplinary action or referral for criminal prosecution. Pursuant to DMV's Protection of Department Records policy, a DMV employee must have a "specific Department business purpose" for accessing DMV data and certain information cannot be disclosed unless the requestor can demonstrate a "permissible use" under the Driver's Privacy Protection Act (DPPA).[1] Additionally, DMV's Employee Handbook (Section 3.18, Processing Personal Transactions) allows employees to access DMV records for themselves, relatives, or friends, but only when "related to [their] duties as part of a business function."

Accordingly, the Inspector General concludes that [redacted] violated DMV's computer use policies, and recommends that DMV take any action it deems appropriate against her.

Please advise me of any action taken by DMV in response to this recommendation within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector Jean Carsey at [redacted].

Sincerely,

Lucy Lang
Inspector General

cc: Joshua Vinciguerra, Esq.
Deputy Commissioner and General Counsel

[1] Driver's Privacy Protection Act, 18 U.S. Code § 2721, Prohibition on release and use of certain personal information from State motor vehicle records.