



## Legislation Text

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**File #:** ID#17-3193, **Version:** 1

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### **SUBJECT/RECOMMENDATION:**

Authorize the Chief of Police to sign a Memorandum of Understanding between the City of Clearwater Police Department and the Florida Department of Highway Safety and Motor Vehicles. (consent)

### **SUMMARY:**

The Florida Department of Highway Safety and Motor Vehicles (DHSMV) primary duties include issuance of motor vehicle and driver licenses, registration and titling of motor vehicles, and enforcement of all laws governing traffic, travel and public safety upon Florida's public highways.

In carrying out its statutorily mandated duties and responsibilities, the DHSMV collects and maintains personal information that identifies individuals. This information is stored in the DHSMV Driver and Vehicle Information Database system, commonly referred to as DAVID. Based upon the nature of this information, the DHSMV is subject to the disclosure prohibitions contained in 18 U.S.C. §2721, the Driver's Privacy Protection Act, Section 119.0712(2), Florida Statutes, and other statutory provisions.

Law enforcement personnel may utilize the DAVID database for legitimate law enforcement purposes which include:

- Traffic related inquiries, crash investigations or red light camera violations;
- Response to call for service, possible criminal activity, or disturbances;
- Criminal investigations, suspect identification or to obtain descriptors;
- Emergency notifications; or other legitimate law enforcement purpose.

The Florida Department of Law Enforcement (FDLE) requires the Clearwater Police Department to enter into a Memorandum of Understanding in order to have continued access to the DHSMV database; however, FDLE now requires that the MOU must be executed by the person authorized to sign contracts on behalf of the Clearwater Police Department.

The current data exchange MOU between both parties is set to expire November 13, 2017, which was for a 3-year term. This new MOU for continued access to the DHSMV files/programs will be for a term of six years.

**APPROPRIATION CODE AND AMOUNT: N/A**

**USE OF RESERVE FUNDS: N/A**