

WOLFEBORO POLICE DEPARTMENT

SOP 6.1

Date Issued: 12/27/2019

Review: 03/25/2021

[Note: This written directive is for the internal governance of the Wolfeboro Police Department and, as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.]

By Order of:
Dean J. Rondeau, Chief of Police

DRIVER PRIVACY ACT

Policy This agency shall comply with RSA 260:14

- That no information shall be released from Motor Vehicle Records unless it complies with this order.

Definitions

- **Motor Vehicle Record** – Any personal information obtained from any DMV Source. (includes licenses, data base info etc)
- **Law Enforcement Agency** – Any local, state or federal agency responsible for enforcing or maintaining the laws. (Includes Probation & Corrections)
- **Official Business** – Conducted by a government agency to fulfill its statutory or constitutional responsibilities.

Officers and Dispatchers

DMV information can be released only to Law Enforcement Agencies for Official Business.
Any other information must be approved by the Chief or designee.

Chief

May release information to a third party for official business only - illegally parked vehicles, hazards & public safety (per RSA 260:14)

- Only the name, age and motor vehicle offense.

Records

All requests must be in writing by the person(s) named in the report

Motor Vehicle Records can be released based on the following applicants:

Owner	May be released
Operator	May be released

**SOP 6.1
Driver Privacy Act**

Passenger	May be released
Attorneys	Must apply to NH DMV
Witnesses	No release is permitted
Insurance Co.	May be released – if authorized by the owner Proper identification is required and in writing No telephone requests are to be honored

Reports Incident Reports, Arrest Reports and/or Criminal Discovery containing DMV record may be released for Official Business to:

- Any Law enforcement Agency.
- Prosecuting Agencies.
- Defendant – with approval.
- Defense Attorney representing a defendant – with approval.

Media Press releases must be approved by the Chief or designee with the following allowed information from DMV records:

- Name.
- Age.
- Motor vehicle information.
- State and town the individual resides.

Accident location, cause of the accident and information not obtained from DMV records may be released at the discretion of the Chief or his designee. No other Motor Vehicle Records may be released to the media without the approval of the Chief.

Pre-Employment A Police applicant’s Motor Vehicle Record can only be viewed after consent is given in writing to the Wolfeboro Police Department.

Consequences Non-compliance with this order will be subject to disciplinary actions. In addition, employees may be subject to:

- Charges of a Class B Misdemeanor.
- Civil action for each violation.

The Wolfeboro Police Dept may also be subject to civil action and have its access to DMV records suspended or revoked permanently.