

## Law Enforcement Agency Data Sharing Agreement

Federal, Local, and County Criminal Justice Agencies requesting records containing Personally Identifiable Information (PII) from the Department of Revenue's Division of Motor Vehicles ("Department") Colorado Driver License, Record, Identification and Vehicle Enterprise Solution (DRIVES) software system may complete this Law Enforcement Data Sharing Agreement and submit it to the Department annually in order to expedite the receipt information outside of Criminal Justice Information Systems (CJIS). This form establishes agreed upon terms for sharing data and confirms the information will not be used for civil or criminal immigration enforcement without a valid supporting subpoena, warrant, or court order. This form does not apply to State of Colorado Executive Branch Law Enforcement agencies (CDOR, CDPS, CDE, etc.). **Without this form in place, non-State of Colorado Executive Branch Law Enforcement agencies will be required to request records containing PII Information through CJIS or a manual web-form for each instance where PII is requested.**

Agency Name			
Street Address			
City	County	State	ZIP Code
Authorized Agency Representative (Chief, Sheriff, or Designated Authority)			
Agency Contact's Phone Number		Agency Contact's Email	
<p>Pursuant to § 24-72-204 et seq., 24-74-105, 42-1-206, 42-4-2103(3)(b) C.R.S., and the Driver Privacy Protection Act 18 USC § 2721, the law enforcement agency entering into this agreement hereby affirms the purpose of these requests are solely permitted in <b>§24-72-204(7)(b)(I) For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local agency in carrying out its functions; except that this subsection (7)(b)(I) does not apply to a request made for the purpose of investigating for, participating in, cooperating with, or assisting in federal immigration enforcement, including enforcement of civil immigration laws, 8 U.S.C. sec. 1325, and 8 U.S.C. sec. 1326, except as required by federal or state law or as required to comply with a court-issued subpoena, warrant, or order.</b></p>			
<p><b>Penalty of Perjury:</b> Pursuant to § 24-72-204(7)(b) and 42-1-206(1)(b)(II) C.R.S. and under penalty of perjury, the Law Enforcement Agency requesting records containing PII, also known as the DMV record, must sign this Affidavit of Intended Use indicating: (1) that the Agency agrees it will not obtain, use, transfer, or resell the DRIVES data for any purpose prohibited by law; (2) that the Agency understands that any person obtaining, using, reselling, or transferring the DRIVES data for purposes prohibited by law may be subject to civil penalties; and (3) that the Agency has filled out the Affidavit of Intended Use stating the Agency will not obtain, use, resell, or transfer the DRIVES data for any purpose prohibited bylaw.</p>			

**State of Colorado**

**Third Party Entity/Organization Certification for Access to PII Through a Database or Automated Network**

Requestor Release and Permissible Use Disclosure: Pursuant to § 24-74-105, C.R.S., I, \_\_\_\_\_, on behalf of \_\_\_\_\_ (legal name of entity/organization) (the "Organization"), hereby certify under the penalty of perjury that the Organization has not and will not use or disclose any Personal Identifying Information, as defined by § 24-74-102(1), C.R.S., for the purpose of investigating for, participating in, cooperating with, or assisting Federal Immigration Enforcement, including the enforcement of civil immigration laws, and the Illegal Immigration and Immigrant Responsibility Act, which is codified at 8 U.S.C. §§ 1325 and 1326, unless required to do so to comply with Federal or State law, or to comply with a court-issued subpoena, warrant or order.

I hereby represent and certify that I have full legal authority to execute this agreement and certification on behalf of the Organization.

Signature

Title

Printed Name

Date

**DEPARTMENT USE ONLY**

Name of Agency Under Review

Department Reviewer Printed Name

Date Reviewed

Law Enforcement Agency is  Approved  Denied access to records containing Personally Identifiable Information through non-Criminal Justice Information System means, and may only receive that information for the disclosed permissible use and disclosure of use stated above.

Reviewer Signature

Date