

New Ohio BMV Account Authentication Process

The Department of Developmental Disabilities (“DODD”) requires all agency providers of non-medical transportation to ensure that each driver holds a valid Ohio driver’s license, and to obtain a BMV driving record prior to initial employment and at least once every three years thereafter. Ohio Admin. Code § 5123:2-9-18(C)(5). A person having six or more points on his or her driving record is prohibited from providing non-medical transportation. In accordance with an administrative decision, the BMV driver abstracts reflect only the last three years of driver record activity.

The Ohio Department of Public Safety Bureau of Motor Vehicles (“BMV”) has created a new Account Authentication Process (“Process”) whereby current account holders who request and obtain BMV driving records must provide certain information. The BMV is requesting account holders to provide the following information once every two years:

- Agreement For The Provision and Use of Information (BMV 1118)
- Records Request Form (BMV 1173)
- All documents listed on the Business Identification Information Form (BMV 3342)

If account holders fail to provide the requested information within thirty days of having received the BMV’s request, account holders risk account suspension and losing access to records. Set forth below is a brief summary of the information account holders must provide to the BMV in order to maintain an active account to enable them to access employee driving records as required by the DODD non-medical transportation rules.

Agreement For The Provision and Use of Information (BMV 1118)

This agreement between providers and the BMV requires providers to maintain the confidentiality and security of information obtained from the BMV. Consistent with both the Federal and Ohio Driver Privacy Protection Acts, the agreement limits providers’ use and redisclosure of information obtained from the BMV, permits the BMV to conduct on-site audits of providers, and requires providers to provide documentation to the BMV, upon request, concerning its access, storage, use, and release of BMV data. In addition, the BMV requires providers to immediately notify the BMV of any security breach.

Records Request Form (BMV 1173)

As part of the Process, the BMV requires providers to complete certain portions of the Records Request Form. Specifically, providers must designate “Other” in response to the first question, “This request is being made by (check one):” and check the box next to “Driving Record.” Providers need to complete Part A, but must leave Part B blank. On the second page, Part C, providers should check the box next to number 2, signaling that the records are being used in the normal course of business by a legitimate business, and provide the following requested information, as applicable:

- Tax Identification Number
- Vendor Number

- Professional License Number
- Licensing Agency

The individual completing the form is required to sign and date the bottom of Page 2.

Business Identification Information (BMV 3342)

Providers are required to provide information describing their business. First, the form requires the provider to provide a detailed synopsis of the company. Second, depending on whether the provider is a corporation, partnership, or sole proprietorship/individual, it must provide certain additional items. A corporation, for example, must provide the following:

- Certification of Good Standing (Certified copy from the Secretary of State)
- Designation of Statutory Agent
- A Current List of Customers and the general nature of each customer's business
- Detailed Description of Security Aspects, including but not limited to, utilized programs, access to data, and storage and housing of data and documents
- Tax Identification Number
- Completed BMV 1173 Record Request Form
- Corporate Resolution designating the person signing the BMV 1173 has actual authority to sign the form.

The BMV requests all documents be submitted to the following address:

OHIO BUREAU OF MOTOR VEHICLES

Attn: BMV Records

P.O. Box 16583

Columbus, OH 43216-6583

Due to the limited thirty-day timeframe within which providers have to compile and submit this information, we recommend acting on the BMV's request as soon as possible.

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This summary is for general information purposes and should not be regarded as legal advice.