

RESOLUTION 2021-63

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE NEW JERSEY MOTOR VEHICLE COMMISSION AND THE BOROUGH OF MAGNOLIA FOR ACCESS TO THE MVC FULL DRIVER ABSTRACT, DRIVER STATUS PROGRAM

WHEREAS, the New Jersey Department of Motor Vehicle Commission, hereinafter known as the "Commission", maintains or keeps on file as required by law certain Driver license, vehicle, and vessel records of individuals licensed and vehicles and vessels registered in this State; and

WHEREAS, the Commission also maintains, as an administrative convenience, a computer record of the aforementioned records, hereinafter known as the "database"; and

WHEREAS, the database and the information contained in it do not constitute public records and the information in the database is not required to be released under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., but may be released at the discretion of the Commission in such a manner as may be determined by the Commission to be administratively appropriate and in accordance with applicable laws and regulations; and

WHEREAS, the Borough of Magnolia has requested from the Motor Vehicle Commission Full Driver Access, Driver Status and is within the guidelines of permitted uses according to the federal and New Jersey Drivers' Privacy Protection Act, 18 U.S.C. 2721 to 2725, and N.J.S.A. 39:2-3.3 to 3.6; and

WHEREAS, the Commission in its discretion has established a Limited Online Access Program, hereinafter known as the "Program", to provide certain information contained in the database, via electronic communications, to businesses or public entities that demonstrate a beneficial interest in and legitimate business use of the database information; and

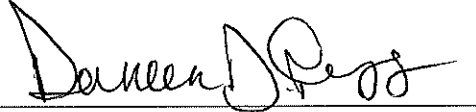
WHEREAS, upon signing the Memorandum of Understanding, the Borough of Magnolia will not be redisclosing or reselling the information provided by the Commission to any third-parties or end users; and

WHEREAS, the Borough of Magnolia accepts and enters into a Memorandum of Understanding with the Commission to allow the use of the Program and agrees to pay the annual fee or \$150.00 per 5000 records in a calendar year by thirty-first day of January each year; and

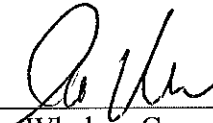
WHEREAS, the terms of the Memorandum of Understanding shall be for a period of five (5) years commencing February 18, 2021 and ending February 17, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Magnolia to authorize the execution of the Memorandum of Understanding for access into the Online Program for Full Driver Access, Driver Status.

ADOPTED, at a meeting of the Mayor and Council of the Borough of Magnolia, County of Camden, State of New Jersey held on February 18, 2021.




Daneen D. Fuss, Municipal Clerk
Borough of Magnolia


Steven Whalen, Council President
Borough of Magnolia

I, Daneen D. Fuss, Borough Clerk of the Borough of Magnolia, do hereby certify that the above is a true and correct copy of a resolution passed by the Mayor and Council of the Borough of Magnolia during a meeting held on February 18, 2021.

(SEAL)


Daneen D. Fuss, Municipal Clerk
Borough of Magnolia