

Approved: May 1, 1997
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND TOURISM

The meeting was called to order by Chairman Ben Vidricksen at 9:05 a.m. on March 25, 1997 in Room 254-E of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Marian Holeman, Committee Secretary

Conferees appearing before the committee: Rep. Wempe
Dick Carter
Ted Hayes
Steve Jordan
Betty McBride

Others attending: See attached list

In connection with **HB 2280** which was heard March 24, 1997, members had requested information on the age of school buses in the State. The Kansas State Department of Education provided the attached list (Attachment 1). This bill has been amended into **SB 131**, therefore this Committee will take no further action.

HB 2188 RE WILDLIFE & PARKS - LONG TERM LEASES - IMPROVEMENTS & DEVELOPMENT

Representative Wempe spoke in support of the bill (Attachment 2). Members discussed whether or not this bill could be used as a mechanism for developing lodges. Dick Carter, Wildlife and Parks also spoke in support of the bill. At this time only two lakes possess the type of facilities meant to be included in this act. Members agreed that a clarifying amendment is needed to insure that lodges are not included in this bill.

SB 370 SPORTS HALL OF FAME

This bill has previously been heard on March 10 and debated on March 18, 1997. Ted Hayes, Director of Operations, Sports Hall of Fame, advised the Board of Trustees agreed to withdraw **SB 370**. They met with the Regents and were able to reach a compromise. Stephen Jordan advised they plan to assist the Sports Hall in preparing a five year business plan. Kansas State and the University of Kansas will be the principal providers of this service (Attachment 3).

HB 2010 DIVISION OF VEHICLES - OPEN RECORDS ACT

Polk and INK met and were able to reach a compromise. One area of disagreement remained and that related to the Secretary of Revenue's role and requirements relating to overseeing use of records for marketing purposes. Ms. McBride advised the Department would prefer to have this issue clarified by statute (Attachment 4). Polk would wish to close records to the public regarding contracts. Interested parties will meet today to work out the necessary language.

The meeting adjourned at 10:00 a.m.

A meeting will be called, probably this afternoon, to finalize work on remaining bills. An announcement will be made in today's Senate session as to time and place.

Kansas State Department of Education

Home Page: <http://www.ksbe.state.ks.us>

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

March 25, 1997

TO: Senator Ben Vidricksen
FROM: Kansas Department of Education
SUBJECT: Age of School Buses

Attached is a list of each school district in the state which had school buses which were 1985 or older on July 1, 1996.

On July 1, 1998, any bus exceeding the 12-year requirement must be removed or retrofitted to meet current bus regulations. We are aware of some school districts that have already retrofitted buses to meet these regulations. Therefore, some of the buses listed on the attached pages may have been retrofitted to meet the current standards and would not have to be replaced.

This list is school owned buses only and does not include buses owned by private contractors.

Listed below is a chart showing the 131 school districts which owned buses manufactured prior to 1986 and the number of buses they owned as of June 1, 1996. We hope this information is helpful to you and the committee.

Number of Buses	Number of School Districts
1	44
2	37
3	18
4	11
5 or more	<u>21</u>
Total	131

School Buses with a Model Year Before 1986 from 1995-1996 18E Report 3/24/97

USD #	Total	85	84	83	82	81	80	79	78	7
103	3	3								
104	2		2							
202	9	4	3	2						
206	1	1								
208	3	2	1							
210	1				1					
211	2		1		1					
212	2	1		1						
214	7	2	1	2		2				
216	2		1					1		
217	1	1								
219	3		1		1			1		
220	3			1			2			
221	2		2							
225	1	1								
227	2		1			1				
228	1					1				
234	7	2	1	2		2				
235	1	1								
237	1	1								
238	1							1		
241	3		2				1			
242	1	1								
244	1	1								
246	4	1	1	1		1				
247	3		1	2						
253	1	1								
254	3		2	1						
257	4	1	2	1						
263	1	1								
264	1		1							
265	10	2	2	1	1	1	1	1		1
266	2						2			
269	1					1				
271	1			1						
272	4	1	1		1				1	
275	2						1	1		
278	2		1	1						
283	1		1							
284	6	3		1			1		1	
291	1						1			
292	2	2								
293	1	1								
294	2		1		1					
295	2	1	1							
297	1	1								
298	2	1	1							
303	1	1								
304	2	1						1		
307	1		1							

School Buses with a Model Year Before 1986 from 1995-1996 18E Report 3/24/97

USD #	Total	85	84	83	82	81	80	79	78	7
310	3	2	1							
314	2	1					1			
315	4				1	1	2			
316	4		1	1				2		
317	2				1	1				
318	5	3	1	1						
320	11	2	2	2		2	1		2	
323	1	1								
324	1					1				
326	2	2								
327	2	1				1				
328	1				1					
330	2	1		1						
331	2	1	1							
333	5	4	1							
334	2		2							
336	1	1								
337	4	1	2	1						
340	3	2	1							
341	2		1			1				
343	1	1								
347	3	1		1				1		
350	1	1								
352	8	3	2		1	1			1	
354	4	1			1		1	1		
355	4		4							
356	3	1	1	1						
361	4	2	1		1					
363	2		1			1				
369	1	1								
372	1		1							
373	3		1	2						
376	1	1								
379	7	1	2	1		2	1			
382	3	2	1							
383	22	8	4	3	4	3				
389	1		1							
390	1				1					
392	2	1	1							
394	11	3		2	2	1	1	1	1	
397	1	1								
399	5	2	1		2					
402	3	1			1		1			
403	2			1		1				
405	2	1	1							
409	4	1		2		1				
410	1	1								
412	7	1	1	2		1	1			1
413	5	2	2				1			
415	1			1						

School Buses with a Model Year Before 1986 from 1995-1996 18E Report 3/24/97

USD #	Total	85	84	83	82	81	80	79	78	7
422	1	1								
423	2	1	1							
424	3		1	1			1			
427	3		1	1					1	
428	1								1	
433	2			2						
435	2	1		1						
437	2	2								
438	1	1								
439	1						1			
443	1	1								
448	4		1	1	1	1				
457	7	3	2	1	1					
463	3	1				1		1		
465	2			2						
466	3	1					1	1		
468	1		1							
470	5	5								
477	1			1						
480	2	1			1					
481	2			1		1				
483	9	1	2	1	2	1	2			
487	2			2						
489	7	1	2		1	1		1	1	
490	2			1			1			
492	2	2								
495	11	2	2	2	2	1	1		1	
498	1			1						
500	11		9	2						
501	2						1		1	
509	1	1								
	391	123	92	59	30	33	27	14	11	2

391

STATE OF KANSAS

J. R. (JACK) WEMPE
REPRESENTATIVE, ONE HUNDRED THIRTEENTH DISTRICT
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER ECONOMIC DEVELOPMENT
TAXATION
SELECT COMMITTEE ON HIGHER EDUCATION
JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

March 25, 1997

TESTIMONY - SENATE TRANSPORTATION AND TOURISM - JACK WEMPE

Mr. Chairman and Committee Members

HB 2188 is an attempt to stimulate needed development in Kansas to permit more extensive use of state parks. While not as impressive as a resort, the development of lodging facilities and their attendant amenities would encourage use of the parks by families for reunions, family outings, vacations, and other social gatherings.

HB 2188 also includes a tax mechanism designed to provide an incentive to the area county and the Department of Wildlife and Parks for the development. It could also help in relieving the current maintenance crisis caused from a lack of funding although certainly does not provide a complete answer.

I encourage the committee to give favorable consideration to this bill and will stand for questions.

SENATE TRANSPORTATION & TOURISM
3/25/97- a.m. meeting
ATTACHMENT 2

2-1

1. The State of Kansas Sports Hall of Fame Board of Trustees agrees to withdraw present legislation (Senate Bill 370). (The Trustees reserve the right to res-submit in the event of contract default or failure to reach agreement on the business plan outlined in point 2 below.)
2. The Board of Regents institutions have agreed to assist the Kansas Sports Hall of Fame in preparing a five-year business plan for the Hall of Fame.
3. The Board of Regents institutions agree to continue their support of the Hall of Fame under the present terms and conditions of the contracts until the five-year plan business plan is completed. At that time the Board of Regents institutions will evaluate their continuing support giving consideration to: (1) the findings of the business plan; (2) the needs of the Regents institutions athletic budgets; and (3) the ability of the Hall of Fame to sustain itself through other revenue means.

Betty McBride, Director of Vehicles
Kansas Department of Revenue
915 SW Harrison St.
Topeka, KS 66626-0001



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Division of Vehicles

MEMORANDUM

TO: The Honorable Ben Vidricksen, Chairman
Senate Transportation Committee

FROM: Betty McBride, Director
Division of Vehicles

DATE: March 25, 1997

SUBJECT: PROPOSED AMENDMENT TO HOUSE BILL 2010

The Department of Revenue has determined that in order to protect the integrity of Kansas vehicle records should "Marketing" of these records be amended into HB2010, the following additional amendment is needed and requested:

- (1) Authorization for the Department of Revenue to Audit any company or corporation who purchases state vehicle records, as well as any recipient who obtains the records from such company or corporation for the purpose of marketing.
- (2) A requirement that the Department of Revenue receive a listing, from the company or corporation who contracts with the State to obtain such records, of who is obtaining the records and what the records will be used for. The listing should be accompanied by a copy of the contract signed by both the company or corporation and the recipient they are making the records available to.
- (3) Grant authority to the Secretary of Revenue to impose penalties, should the company or corporation purchasing the records violate the provisions of the State contract or Kansas statutes regarding the marketing of records. Recommended minimum penalty - \$5,000 per violation. Maximum penalty - triple the amount of the state contract value.
- (4) Require that companies, corporations and recipients of vehicle records sustain a 10 year record retention.
- (5) Grant the Secretary of Revenue the authority to assess different contract rates for records obtained for marketing purposes. (The Department is aware that the Secretary has authority currently to set rates, but would like statutory clarification on this issue.)

We would appreciate your serious consideration to adopt the proposed amendment.

Polk and INK compromise

As Amended by House Committee

Session of 1997

HOUSE BILL No. 2010

By Special Committee on Transportation

12-17

10 AN ACT relating to the records of the division of vehicles; amending
11 K.S.A. 1996 Supp. 74-2012 and repealing the existing section.

12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 1996 Supp. 74-2012 is hereby amended to read as

15 follows: 74-2012. (a) *All records of the division of vehicles shall be subject*

16 *to the provisions of the open records act except as otherwise provided*

17 *under the provisions of this section and by K.S.A. 1996 Supp. 74-2022,*

18 *and amendments thereto.*

19 (a)-(b) All records of the division of vehicles relating to the physical

20 or mental condition of any person, to expungement or except as provided

21 further, any photographs maintained by the division of vehicles in con-

22 nection with the issuance of drivers' licenses and nondrivers' identifi-

23 cation cards shall be confidential. Photographs or digital images main-

24 tained by the division of vehicles in connection with the issuance of

25 drivers' licenses shall be available to law enforcement agencies for use in

26 criminal investigations. Records of the division relating to diversion agree-

27 ments for the purposes of K.S.A. 8-1567, 12-4415 and 22-2908, and

28 amendments thereto, shall be confidential and shall be disclosed by direct

29 computer access only to:

30 (1) A city, county or district attorney, for the purpose of determining

31 a person's eligibility for diversion;

32 (2) a municipal or district court, for the purpose of using the record

33 in connection with any matter before the court;

34 (3) a law enforcement agency, for the purpose of supplying the record

35 to a person authorized to obtain it under paragraph (1) or (2) of this

36 subsection; or

37 (4) an employer when a person is required to retain a commercial

38 driver's license due to the nature of such person's employment.

39 ~~All other records of the division of vehicles shall be subject to the~~

40 ~~provisions of the open records act except as otherwise provided by K.S.A.~~

41 ~~1996 Supp. 74-2022 and amendments thereto or this section.~~

42 (b) (c) Lists of persons' names and addresses *Personal information*

43 ~~contained in or derived from records of the division of vehicles shall not~~

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1 be sold, given or received for the purposes prohibited by K.S.A. 21-3914,
2 and amendments thereto, except that:

3 (1) The director of vehicles may provide to a requesting party, and a
4 requesting party may receive, such a list and accompanying *personal in-*
5 *formation from public records of the division upon written certification*
6 *that the requesting party shall use the list personal information solely for*
7 *the purpose of: (A) Assisting manufacturers of motor vehicles in compil-*
8 *ing statistical reports or in notifying owners of vehicles believed to: (i)*
9 *Have safety-related defects; (ii) fail to comply with emission standards or*
10 *(iii) have any defect to be remedied at the expense of the manufacturer;*
11 *(B) assisting an insurer authorized to do business in this state, or the*
12 *insurer's authorized agent, in processing an application for, or renewal or*
13 *cancellation of, a motor vehicle liability insurance policy; or or (C) as-*
14 *sisting the selective service system in the maintenance of a list of persons*
15 *18 to 26 years of age in this state as required under the provisions of*
16 *section 3 of the federal military selective service act; or (D) assisting*
17 *businesses authorized to receive records under subparagraphs (A) or (B)*
18 *of this paragraph in bulk distribution for surveys or marketing, if: (i)*
19 *Individuals are provided an opportunity to prohibit the disclosure of per-*
20 *sonal information under subsection (g); and (ii) the information will be*
21 *used, rented or sold solely for bulk distribution for surveys or marketing*
22 *and that such surveys and marketing will not be directed at those indi-*
23 *viduals who have requested under subsection (g) not be directed at them.*

24 ~~(2)~~ Any law enforcement agency of this state which has access to (3)
25 public records of the division may furnish to a requesting party, and a
26 requesting party may receive, such a list and accompanying information
27 from such records upon written certification that the requesting party
28 shall use the list solely for the purpose of assisting an insurer authorized
29 to do business in this state, or the insurer's authorized agent, in processing
30 an application for, or renewal or cancellation of, a motor vehicle liability
31 insurance policy.

32 ~~(e)-(d)~~ If a law enforcement agency of this state furnishes information
33 to a requesting party pursuant to ~~paragraph (2)~~ of subsection ~~(b)(2)-(c)~~, (3)
34 the law enforcement agency shall charge the fee prescribed by the sec-
35 retary of revenue pursuant to K.S.A. 1996 Supp. 74-2022, and amend-
36 ments thereto, for any copies furnished and may charge an additional fee
37 to be retained by the law enforcement agency to cover its cost of providing
38 such copies. The fee prescribed pursuant to K.S.A. 1996 Supp. 74-2022,
39 and amendments thereto, shall be paid monthly to the secretary of rev-
40 enue and upon receipt thereof shall be deposited in the state treasury to
41 the credit of the electronic databases fee fund, except for the \$1 of the
42 fee for each record required to be credited to the highway patrol training
43 center fund under subsection ~~(e)-(f)~~.

(c) Information, including personal information, contained in or derived from records of the division of vehicles shall not be sold, given or received for the purposes prohibited by K.S.A. 21-3914, and amendments thereto, except that:

(1) The director of vehicles may provide to a requesting party, and a requesting party may receive personal information, limited to name, address and vehicle identification number from title and registration records of the division upon written certifications that the requesting party shall use such information solely for the purpose of:

(A) Assisting manufacturers and licensed vehicle dealers of motor vehicles in compiling statistical reports or in notifying owners of vehicles believed to:

- (i) Have safety-related defects;
- (ii) fail to comply with emission standards; or
- (iii) have any defect to be remedied at the expense of the manufacturer; or

(B) assisting business authorized to receive records under subparagraph (A) of this paragraph in bulk distribution for surveys or marketing of automotive products, if:

- (i) Individuals are provided an opportunity to prohibit the disclosure of personal information under subsection (g); and
- (ii) the information will be used, rented or sold solely for bulk distribution for surveys or marketing of automotive products and that such surveys and marketing will not be directed at those individuals who have requested under subsection (g) not be directed at them.

(2) The director of vehicles may provide to a requesting party, and a requesting party may receive information, including personal information, from public records of the division upon written certification that the request party shall use such information solely for the purpose of:

(A) Assisting an insurer authorized to do business in this state, or the insurer's authorized agent, in processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy; or

(B) assisting the selective service system in the maintenance of a list of persons 18 to 26 years of age in this state as required under the provisions of section 3 of the federal military selective service act.

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1 ~~(d)~~(e) The secretary of revenue, the secretary's agents or employees,
2 the director of vehicles or the director's agents or employees shall not be
3 liable for damages caused by any negligent or wrongful act or omission
4 of a law enforcement agency in furnishing any information obtained from
5 records of the division of vehicles.

6 ~~(e)~~(f) A fee in an amount fixed by the secretary of revenue pursuant
7 to K.S.A. 1996 Supp. 74-2022, and amendments thereto, of not less than
8 \$2 for each request for information in the public records of the division
9 concerning any vehicle or licensed driver shall be charged by the division,
10 except that the director may charge a lesser fee pursuant to a contract
11 between the secretary of revenue and any person to whom the director
12 is authorized to furnish information under ~~paragraph (f)~~ of subsection
13 ~~(b)~~(c), and such fee shall not be less than the cost of production or
14 reproduction of any information requested. Except for the fees charged
15 pursuant to a contract for title and registration records on vehicles au-
16 thorized by this subsection, \$1 shall be credited to the highway patrol
17 training center fund for each record.

paragraphs (1) and (2)(B)

18 (g) *The division of vehicles shall implement methods and procedures*
19 *to ensure that individuals are provided an opportunity, in a clear and*
20 *conspicuous manner, to prohibit the disclosure of personal information*
21 *collected by the division of vehicles, except under the following situations:*

- 22 (1) *For use by any government agency, including any court or law*
23 *enforcement agency, in carrying out its functions, or any private person*
24 *or entity acting on behalf of a federal, state or local agency in carrying*
25 *out its functions;*
- 26 (2) *for use in connection with matters of motor vehicle or driver safety*
27 *and theft; motor vehicle emissions; motor vehicle product alterations; re-*
28 *calls, or advisories; performance monitoring of motor vehicles, motor ve-*
29 *hicle parts and dealers; motor vehicle market research activities, including*
30 *survey research; and removal of nonowner records from the original*
31 *owner records of motor vehicle manufacturers;*
- 32 (3) *for use in the normal course of business by a legitimate business*
33 *or its agents, employees or contractors, but only:*
 - 34 (A) *To verify the accuracy of personal information submitted by the*
35 *individual to the business or its agents, employees or contractors; and*
 - 36 (B) *if such information as so submitted is not correct or is no longer*
37 *correct, to obtain the correct information, but only for the purposes of*
38 *preventing fraud by, pursuing legal remedies against, or recovering on a*
39 *debt or security interest against, the individual;*
- 40 (4) *for use in connection with any civil, criminal, administrative or*
41 *arbitral proceeding in any federal, state or local court or agency or before*
42 *any self-regulatory body, including the service of process, investigation in*
43 *anticipation of litigation, and the execution or enforcement of judgments*

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1 and orders, or pursuant to an order of a federal, state or local court;
2 (5) for use in research activities, and for use in producing statistical
3 reports, so long as the personal information is not published, redisclosed
4 or used to contact individuals;

5 (6) for use by any insurer or insurance support organization, or by a
6 self-insured entity, or its agents, employees or contractors, in connection
7 with claims investigation activities, antifraud activities, rating or under-
8 writing;

9 (7) for use in providing notice to the owners of towed or impounded
10 vehicles;

11 (8) for use by any licensed private investigative agency or licensed
12 security service for any purpose permitted under this subsection;

13 (9) for use by any employer or its agent or insurer to obtain or verify
14 information relating to a holder of a commercial driver's license that is
15 required under the Commercial Motor Vehicle Safety Act of 1986 (49
16 U.S.C. App. 2710 et seq.);

17 (10) for use by any requester, if the requester demonstrates it has
18 obtained the written consent of the individual to whom the information
19 pertains.

20 ~~(h) As used in this section "personal information" means information~~
21 ~~that identifies a person, driver identification number, name, address, in-~~
22 ~~cluding information on vehicular accidents, driving or equipment-related~~
23 ~~violations, but shall not include such information considered confidential~~
24 ~~under subsection (b).~~

25 ~~(f) (f) The secretary of revenue may adopt such rules and regulations~~
26 as are necessary to implement the provisions of this section.

27 Sec. 2. K.S.A. 1996 Supp. 74-2012 is hereby repealed.

28 Sec. 3. This act shall take effect and be in force from and after its
29 publication in the statute book.

(h) No information, including personal information, derived from the records of the division of vehicles shall be used, rented or resold for telemarketing purposes or motor vehicle refinancing purposes, including the solicitation of motor vehicle refinancing.

(i) As used in this section:

(1) "Personal information" means information that identifies a person, identification number, name, address, and information on vehicular accidents, driving or equipment-related violations, but shall not include such information considered confidential under subsection (b);

(2) "survey" shall be limited to the contacting of individuals by direct mail to assess their opinion on automotive products or services; and

(3) "marketing" shall be limited to the contacting of individuals by direct mail with automotive product information, incentives and service offerings which are targeted at individuals' liking and requests.

(j)

4-5

Monday, March 24, 1997

House Bill 2010

1st Change - Page 1, lines 42 & 43; Page 2, lines 1-16: Delete subsection (c)(1) and replace with a new subsection (c)(1) and (2).

Impact on INK – We estimate that this would have an impact on INK of \$110,400 per year. This is the amount of revenue would be lost from the sale of title & registration records over the last 12 months at \$ 4.00 per record.

Recommendation – The following clarifying language is recommended:

(1) The director of vehicles may provide to a requesting party, and a requesting party may receive ~~information, including~~ personal information, limited to name, ~~and~~ address, **and vehicle identification number** from title and registration records of the division upon written certification that the requesting party shall use such information solely for the purposes of:

- (A) Assisting manufacturers **and licensed vehicle dealers** of motor vehicles in compiling statistical reports and notifying owners of vehicles believed to:
 - (i) Have safety-related defects;
 - (ii) fail to comply with emission standards; or
 - (iii) have any defect to be remedied at the expense of the manufacturer; or
- (B) assisting businesses authorized to receive records under subparagraph (A) of this paragraph in bulk distribution for surveys or marketing **of automotive products**, if:
 - (i) Individuals are provided an opportunity to prohibit the disclosure of personal information under subsection (g); and
 - (ii) The information will be used, rented or sold solely for bulk distribution for surveys or marketing **of automotive products** and such surveys and marketing will not be directed at those individuals who have requested under subsection (g) not be directed at them;

2nd Change - Page 2, line 24: Replacing the number (2) with the number (3) at the beginning of the sentence.

Impact on INK – Appears to be clarifying language.

3rd Change -Page 2, line 33: Replacing the number (2) with the number (3).

Impact on INK – Appears to be clarifying language.

4th Change - Page 3, line 12: Add paragraph (2) of subsection (c) to the sentence authorizing the Secretary of Revenue to enter into contracts for the purchase of MVR records for less than the statutory price.

***Impact on INK** – The proposed language would allow MVR records to be acquired for less than the statutory fee for the purposes of motor vehicle recalls, assisting in the issuance of insurance policies and for the U.S. Selective Services. In addition, businesses that are authorized to receive records to assist motor vehicle manufacturers would be able to receive title and registration records for survey and marketing purposes at less than the statutory fee.*

***Fiscal Impact** - We fear that this language could potentially endanger the viability of the INK with a negative fiscal impact of over \$5 million a year to INK and the State of Kansas. This is the amount that could be lost from the sale of title & registration and driving records.*

***Recommendation** – Insert the letter (B) after the new number (2) on page 3, line 12. This would allow certain personal information within MVR records to be acquired for less than the statutory fee for the purposes of motor vehicle recalls, for survey and marketing of automobiles and for use by the U.S. Selective Services.*

5th Change -Page 4, lines 20-24: Striking subsection (h) and replacing it with a new subsection (h). and a new subsection (i).

***Impact on INK** – The actual uses of MVR records obtained for marketing and survey purposes would be restricted to direct mail only.*

***Recommendation** – This is an important clarifying amendment.*

(h) No information, including personal information, derived from the records of the division of vehicles shall be used, rented or resold for telemarketing purposes or motor vehicle refinancing purposes, **including the solicitation of motor vehicle refinancing.**

6th Change - Page 4, line 25: Add a new section (i).

***Impact on INK** – Proposed language is vague and might adversely affect INK in the amount of \$110,400 and possibly significantly more.*

***Recommendation** – The following clarifying changes are recommended:*

(i) As used in this section:

(1) “Personal information” means information that identifies a person, identification number, name, address, ~~including~~ **and** information on vehicular accidents, driving or

equipment-related violations, but shall not include such information considered confidential under subsection (b);

(2) “survey” ~~means~~ **shall be limited to** the contacting of individuals by direct mail to assess their opinion on **automotive** products or services; and

(3) “marketing” ~~means~~ **shall be limited to** the contacting of individuals by direct mail with **automotive** product information, incentives and service offerings which are targeted at individuals’ liking and requests.

7th Change - Page 4, line 25: Replace the letter (i) with the letter (j) at the beginning of this subsection.

Impact on INK – Appears to be clarifying language.