

## **DMV1 Commercial Drivers Licensing**

### **DMV1.1 Applications**

The Commercial Drivers Licensing Unit of the Division of Motor Vehicles is responsible for issuing commercial driver's licenses. Applicants may be seeking to obtain a first such license. They would also go to the unit to renew, update, or upgrade these licenses or to transfer such a license to Rhode Island from another state. In addition, this unit handles the issuance of motorcycle licenses.

Applicants submit their applications as per RIGL § 31-10.3-18. The application process is also governed by Federal Motor Carrier Safety Administration (FMCSA) Rules and Regulations § 383.23, § 383.153, and § 384.204. Prior to receiving either license, an applicant may obtain a permit, which is surrendered back to the unit upon the issuance of a license. The unit administers written tests and permits to applicants (after road tests are administered by the Community College of Rhode Island) before issuing a license. The records may include, but are not limited to, application forms, relinquished permits, and any supporting documentation.

*Retention:* Retain three (3) years.

### **DMV1.2 Denial Notices**

The Commercial Drivers Licensing Unit may deny commercial driver's licenses to some applicants and may also refuse to renew these licenses in certain situations as per RIGL § 31-10.3-15 and FMSCA § 383.51, 383.52, 391.15. Denials can result from driving under the influence of alcohol or other controlled substances, a poor driving history, incomplete information on the application, a determination that a driver is an imminent hazard, not having a driver's license for more than two years prior to applying for a commercial license, and other reasons. These records document these denials. The records may include, but are not limited to, correspondence (from DMV, Operator Control, courts, and the applicant), summaries and decisions by hearing officers, denial notice forms, applications, driver history reports, conviction information, driver record abstracts (furnished as per RIGL § 31-10.3-34), affidavits for history checks, commercial driver's license information system reports, and notice of action forms.

*Retention:* Retain ten (10) years.

### **DMV1.3 Voluntary Downgrades to Regular Licenses**

Drivers licensed to drive commercial vehicles sometimes surrender their commercial licenses for standard state driver's licenses as per FMSCA § 383.73(j)(4). The Commercial Drivers Licensing Unit oversees this and records the changes in driver's license status. Drivers may surrender their commercial licenses for a wide variety of reasons such as age, retirement from professional driving, career changes, medical reasons, or failure to maintain the mandatory Federal requirements. This series documents these voluntary downgrades.

The records may include, but are not limited to, surrendered licenses, notarized copies of voluntary downgrade forms, and signed affidavits of the change in status, medical forms, and eye exam cards.

*Retention:* Retain three (3) years.

#### **DMV1.4 Approvals of Originally Denied Applications**

Applicants who are denied commercial driver's licenses as per RIGL § 31-11-7 (f) may appeal those decisions. In some cases, the denial decisions are made by Operator Control and in other cases, they are made by the Medical Hearing Board. The appeals are taken to courts at various levels and records of each individual case are maintained at the Division. The records may include, but are not limited to, correspondence (from DMV units, Operator Control, courts, and applicants), hearing officer summaries, hearing officer decisions (original denials), denial notice forms, applications, commercial driver history reports, conviction information (Federal), driver record abstracts (state), affidavits for commercial driver's license history checks, commercial driver's license information system reports, notice of action forms, hearing documents, and court documents.

*Retention:* Retain six (6) years.

#### **DMV1.5 Commercial Driver's License Hearings**

Applicants who are denied commercial driver's licenses as per RIGL § 31-11-7 (f) may appeal those decisions. The Commercial Driver's License Unit makes the initial decision in the case of denials and then shares the decision with Operator Control, which sends out letters informing drivers of these decisions. In some cases, the Commercial Driver's License Unit conducts the hearings, with the supervisor of the unit acting as a hearing officer. The records in this series may include, but are not limited to, assessments of the hearing officer and all pertinent information leading to the decision imposed.

*Retention:* Retain six (6) years.

#### **DMV1.6 Federal Waivers**

Those who possess commercial driver's licenses that have (or develop) certain medical conditions (examples include vision issues and diabetes) must obtain federal waivers with specific exemptions in order to continue driving. These waivers are time-limited (limits vary) and can only be renewed after medical re-evaluations that show drivers to be free of any health issues that jeopardize their own safety or the safety of other motorists. The records in this series include, but are not limited to, Federal registers and medical exemption forms. The former is a record supplied by the Federal Motor Carrier Safety Administration (FMSCA) and includes a list of those with commercial driver's licenses that have valid, up-to-date waivers. The latter pertains to waiver acceptance between state and Federal agencies, such as the Rhode Island Department of Motor Vehicles and the aforementioned FMSCA.

*Retention:* Retain five (5) years or until a Federal medical evaluation board or physician clears a driver to operate a vehicle without any waivers, whichever is sooner.

**DMV1.7 Medical Hearing Records**

Some applicants for a commercial driver's license are denied for medical reasons as per RIGL § 31-11-7. This can happen for those seeking licenses for the first time and for those seeking renewals. The Commercial Driver's License Unit makes the initial decisions. These decisions may then be reviewed by Operator Control and approved or appealed to a Medical Advisory Board. The records in the series may include, but are not limited to, denial notices, application forms, medical forms (completed and certified by physicians), eye examination cards, and brief medical evaluation forms/letters (prepared by the Commercial Driver's License Unit supervisor).

*Retention:* Retain five (5) years.

**DMV1.8 Transportation Security Administration Approval of Hazardous Materials Endorsement Issuances**

Some drivers who have commercial driver's licenses also seek to obtain a Hazardous Materials (HazMat) endorsement along with this license. This endorsement authorizes them to operate vehicles that transport hazardous materials. In order to obtain this endorsement, drivers must pass a Transportation Security Administration (TSA) security screening process as per FMSCA § 383.141. The endorsement must be renewed at the same time the license is renewed. The TSA maintains records of drivers who have been approved for the HazMat endorsement, and shares the information with the Federal Motor Carrier Safety Administration. The Commercial Driver's License Unit obtains the list of drivers with the endorsement and maintains it for its own purposes. The record series consists of that list and any associated documentation. The unit maintains contact with the TSA to keep the list current.

*Retention:* Retain five (5) years.

**DMV2 Data Control**

**DMV2.1 Disabled Veteran Licenses**

As per RIGL § 31-6-8 any veteran who has been honorably discharged from the service of the armed forces and has suffered a service-connected disability defined by the Veterans Administration as 100% is exempt from the payment of any fee for the annual registration of and a license to operate motor vehicles. The Data Control Unit tracks these licenses. These records may include, but are not limited to, screenshot printouts with basic information from diver's licenses, license applications, letters from the Department of Veterans' Affairs confirming veterans' disabilities, and copies of information on specific veterans contained in DMV's system.

*Retention:* Retain three (3) years.

**DMV2.2 Century Lock Box Information**

Applicants can be denied renewals of their vehicle registrations due to a variety of outstanding issues (e.g. tax blocks, delinquency in child support payments, failure to maintain insurance, incorrect fees). The Data Control Unit maintains records of these cases until the rejected applicants furnish proof to the Division of Motor Vehicles that the issue(s) preventing renewal are rectified. As per RIGL § 31-2-23, renewal of a license can be denied for nonpayment of child support and a denial is also

possible for delinquency in paying vehicle taxes as per RIGL § 31-3-6 and RIGL § 31-3-6.1. RIGL § 31-3-6.2 provides for denial of registrations due to delinquent court costs, RIGL § 31-33-15 allows denials for fraudulent registration of vehicles owned by minors, and registrations can be revoked for failure to maintain financial responsibility (liability insurance) as per RIGL § 31-47-8. The records in this series consist of the registration renewal forms and associated documentation about the denials.

*Retention:* Retain three (3) years or until customer clears any outstanding issues that prevent renewal of registration, whichever is sooner.

### **DMV2.3 Identification Card Cancellations**

The state of Rhode Island issues identification cards for individuals without driver's licenses. These cards may be cancelled for reasons such as fraud or the inability of customers to pay for a transaction. In all of these cases, the transactions are cancelled and recorded. The cancellations are subsequently captured and recorded. The records in the series may include, but are not limited to, screen-shot printouts from the DMV system and any supporting documentation (e.g., state-issued identifications or copies of applications for licenses, permits, or identifications).

*Retention:* Retain three (3) years.

### **DMV2.4 Learner Permit, License, and Registration Cancellations**

Learner permits, driver's licenses, and registrations may be cancelled for reasons such as fraud or the inability of customers to pay for the necessary transactions as per RIGL § 31-1-15 (for learner permits and licenses) or RIGL § 31-8-4. In the cases of licenses, such situations can also arise for drivers who return to Rhode Island after having been gone three years or less. Since those drivers can retain their previous license numbers, they can cancel any new numbers they were given in error. All of these cancellations are captured and recorded. The records may include, but are not limited to, screen-shot printouts and any supporting documentation (e.g. printout copies of licenses or copies of license applications).

*Retention:* Retain three (3) years.

*Note: These types of cancellations differ from those arising from failure to maintain liability insurance, reckless driving, DUI/DWI, or failure to submit to a chemical test, among other reasons. These latter types of cancellations are also covered by RIGL § 31-1-15. They include such reasons as supplying false or fraudulent information, voluntary surrenders, or a lack of sufficient funds for transactions.*

### **DMV2.5 Registration Cancellation Verifications**

When customers' registrations and license plates are cancelled as per RIGL § 31-8-6, the Division of Motor Vehicles documents the cancellations. This is done to verify the cancellations and to catch mistakes from operator errors. Owners are required to return evidence of registration when this occurs. The records in this series may include, but are not limited to, TR-3 forms, any other appropriate forms and associated documentation.

*Retention:* Retain three (3) years.

## **DMV3 Registration Files**

### **DMV3.1 Applications for Registration and/or Driver's License Information**

There are occasions when individuals request information regarding either a particular Rhode Island registration of a motor vehicle or information regarding a Rhode Island license. Usually, these requests involve vehicles that are more than ten years old, because in those situations, owners are not required to have titles. A previous owner's registration is sufficient to use in place of a title and is needed before a new owner can purchase such a vehicle. Officials within the division are authorized to create and provide certified copies in these situations as per RIGL § 31-2-9. This information is provided on a form that includes plate numbers, vehicle identification numbers, names of owners, addresses of owners, driver's license numbers, names of drivers, and addresses of drivers. At the end of each business day, the copies retained by the division are used to verify amounts of money collected and the number of transactions.

*Retention:* Retain three (3) years.

### **DMV3.2 Monthly Registration Information**

The Division of Motor Vehicles maintains monthly lists of all registrants, which include all the usual information on each registrant for the month in question (customer name, address, plate number, driver's license number, and vehicle identification number). RIGL § 31-3-7 regulates the indexing of these records. They are maintained for research purposes.

*Retention:* Retain twenty (20) years.

### **DMV3.3 Daily Registration Transactions**

The Division of Motor Vehicles handles registrations on a daily basis with transactions coming from the primary Registry, the various branch offices, AAA offices, and dealerships as per RIGL § 31-3-7. The records in the series may include, but are not limited to, registration applications, gift letters, certificates of origin, bills of sale, copies of titles, and copies of insurance information.

*Retention:* Retain ten (10) years.

## **DMV4 Safety Responsibility Section**

### **DMV4.1 Accident Case Files**

The Division of Motor Vehicles records all accidents involving motor vehicles that occur in the state of Rhode Island, whether the drivers involved are licensed in Rhode Island or not. The division also monitors the cases to ensure that all parties involved comply with state law and to track the status of all parties involved if legal action was taken. The tracking process can go on for many years, specifically in cases in which a liable motorist enters into a binding agreement to make payments over a lengthy period of time to the afflicted or non-liable motorist (or insurance company). The responsibilities of the section, the police, and involved motorists are detailed in RIGL § 31-26 *et seq.*, RIGL § 31-31 *et seq.*, and RIGL § 31-33 *et seq.* The records in this series include, but are not limited to, request for hearing documents, copies of insurance cards, insurance verification letters, immediate security memoranda, medical records, police reports of accidents, hearing decisions,

security bonds, receipts for bond deposits, driver record abstracts, agreement letters, rescinding of suspension letters, legal correspondence, operator reports of accidents, insurance declarations, suspension of license notices, Safety Responsibility clearance forms, repair estimates, refund applications, disbursement authorization letters, traffic tribunal appeal decisions, photographs (of damage to vehicles or property from the accident scene), release letters, and copies of letters written by the Division of Motor Vehicles to operators, owners, insurance companies and/or attorneys.

**a) Cases involving court action**

*Retention:* Retain seven (7) years after final disposition or ten (10) years after case opens, whichever is later.

**b) Cases involving no court action with all involved parties possessing financial responsibility**

*Retention:* Retain three (3) years.

**c) Cases involving no court action with one or more involved parties lacking financial responsibility**

*Retention:* Retain three (3) years.

**DMV4.2 Financial Security Bond Deposits**

Any liable party in a motor vehicle accident who does not possess valid insurance at the time of the motor vehicle accident must post a monetary or property deposit as per RIGL § 31-31-8. The Division of Motor Vehicles receives these deposits as per RIGL § 31-47-5 and issues receipts to the liable party, maintaining a copy for its own purposes. If no court action is taken by the non-liable party (or parties) involved in the accident within three years, the division releases the money or the property back to the liable party. The records in the series may include, but are not limited to, copies of bank deposit slips and copies of bond deposit receipts. Each bond deposit is also entered in a journal maintained by the division.

*Retention:* Retain three (3) years or until authorization is dispensed from the depositor to the aggrieved party or the aggrieved party's insurance company, whichever is sooner.

**DMV4.3 Non-Reportable Case Files**

For accidents resulting in no more than \$1000 in damage to any party involved (whether to a vehicle or non-vehicle property) and no bodily injury, the Division of Motor Vehicles maintains records in case any party involved initiates a court action. The records in the series may include, but are not limited to, accident reports prepared by operators of vehicles involved and insurance company correspondence.

*Retention:* Retain three (3) years.

**DMV4.4 Police Reports of Non-Reportable Cases**

Law enforcement officers must prepare reports of any motor vehicle accidents that occur in their jurisdictions as per RIGL § 31-26-9. For accidents resulting in no more than \$1000 in damage to any party involved (whether to a vehicle or non-vehicle property) and no bodily injury, the Division of Motor Vehicles maintains copies of the police reports in case any party involved initiates a court action. The records in the series include, but are not limited to, copies of police reports and any associated documents.

*Retention:* Retain three (3) years.

**DMV4.5 Real Estate Bond Discharge**

Any liable party in a motor vehicle accident who does not possess valid insurance at the time of the motor vehicle accident must post a monetary or property deposit as per RIGL § 31-31-8. If the property deposit involves real estate, then a lien and real estate bond is deposited with the Safety Responsibility Section within the Division of Motor Vehicles as per RIGL § 31-32-27. The section maintains the bond until the terms have been satisfied or until the time limit for court action against an uninsured liable motorist has expired. The records in this series may include, but are not limited to, copies of discharge letters, forms for the discharge of real estate bonds and liens. Legal correspondence, copies of original security bonds, and abstracts of driving records.

**a) No action taken by aggrieved party (or parties)**

*Retention:* Retain three (3) years.

**b) Court action taken by aggrieved party (or parties) but no judgment made against liable party**

*Retention:* Retain eight (8) years.

**c) Judgment made against liable party**

*Retention:* Retain twenty (20) years.

**DMV4.6 Suspension Clearances**

Any party involved in a motor vehicle accident who fails to file an accident report or fails to possess financial responsibility at the time of their motor vehicle accident may have his or her driver's license or vehicle registration suspended by the state (if the registration and/or license are from Rhode Island). Out-of-state operators would have their rights to operate a motor vehicle in Rhode Island suspended. In the case of parties involved in accidents, suspensions can result from having no proof of insurance (as per RIGL § 31-32-5) or failure to deposit security (as per RIGL § 31-31-9) in addition to a failure to file an accident report (as per RIGL § 31-33-2). Once drivers rectify the reason for their suspensions, the Division of Motor Vehicles lifts the suspension and sends the drivers copies of suspension clearances. In order to have the suspended license and/or registration lifted requires that drivers pay a reinstatement fee at Operator Control. The records may include, but are not limited to, clearance forms, insurance company correspondence, and copies of official orders.

*Retention:* Retain three (3) years.

## **DMV5      Disability Parking Permits Section**

### **DMV5.1      Disability Parking Privilege Placard Applications**

Anyone with a disability, licensed or unlicensed, may apply for a disability parking placard as per RIGL § 31-28-7. There are two types of these placards – one for temporary disabilities (up to 12 months) and another for long-term or permanent disabilities (long-term is one to three years and permanent is longer than three years). The Division of Motor Vehicles approves or denies these applications after evaluating submitted medical documents and letters from physicians. If an application or subsequent renewal is accompanied by a physician's certification that the applicant's condition is a chronic, permanent impairment and the application is approved, any subsequent renewal shall be authorized upon receipt of a notarized affidavit from the applicant or the applicant's guardian or legal representative or a certificate from the applicant's physician that there has been no change in his or her condition since the previous approval. The records in this series may include, but are not limited to, disability parking placard application forms, medical examination letters written by physicians, police reports, medical test result reports, and clinical data.

#### **a) Applications for temporary or long-term placards**

*Retention:*      Retain seven (7) years.

#### **b) Applications for permanent placards**

*Retention:*      Retain until death of placard owner.

#### **c) Insufficient applications**

*Retention:*      Retain seven (7) years.

### **DMV5.2      Disabled Veterans Parking Placard Applications**

Disabled military veterans (those that have a 100 % service-connected disability) have a right to exemption from fees for registration of motor vehicles and licenses to operate those vehicles as per RIGL § 31-6-8. By the same statute, a 100 % disability involves the loss of one or both arms, hands, feet, or legs by amputation or by reason of other permanent injury, the loss of the use of one or both of his or her arms, hands, feet, or legs, or to whom has been granted a motor vehicle under chapter 870-2D, United States Public Laws 663, enacted 1946, 79th Congress, or has been determined by the Veterans' Administration to have a service connected disability of one hundred percent (100%). Applications may be approved or denied based on evaluations of letters from the U.S. Department of Veterans Affairs attesting to the veterans' disabilities and the fact that they are service-connected. The records in this series may include, but are not limited to, disability parking privilege placards for disabled veterans, applications for these placards, letters from the Department of Veterans' Affairs, and copies of driver's licenses of the veterans.

*Retention:*      Retain until the death of the veteran.

### **DMV5.3      Permanent Disability Parking Privilege Placard Renewals**

Holders of disability parking placards may apply for renewals. These renewals are required every three years as per RIGL § 31-28-7(c). Decisions to approve or deny such applications are based on



submitted medical documents and letters from physicians. If an application or subsequent renewal is accompanied by a physician's certification that the applicant's

condition is a chronic, permanent impairment and the application is approved, any subsequent renewal shall be authorized upon receipt of a notarized affidavit from the applicant or the applicant's guardian or legal representative or a certificate from the applicant's physician that there has been no change in his or her condition since the previous approval. Records in this series may include, but are not limited to, disability parking placard applications and medical examination letters written by physicians.

*Retention:* Retain three (3) years.

#### **DMV5.4 Denied Applications**

Applications for disability parking placards may be denied by the Division of Motor Vehicles when applicants do not qualify for them as per RIGL § 31-28-7. Initial applications, renewals, and applications for disabled veterans' parking placards may all be denied. When applications for placards or motorcycle stickers are denied, the Division of Motor Vehicles shall promptly notify the applicants in writing, stating the specific reason(s) for the denial, and advising the applicants of the procedures for requesting a hearing to appeal the denial. This series documents cases in which applicants choose not to appeal the denial. The records in the series may include, but are not limited to, disability parking placards for Rhode Island veterans, new (or renewal) disability parking placard applications, Department of Veterans Affairs letters, medical documents and reports (from hospitals, physicians, care facilities, etc.), and denial letters from the division.

*Retention:* Retain seven (7) years.

#### **DMV5.5 Appealed Applications**

Anyone denied a disability parking placard after an initial application or an application for a renewal of such a placard may appeal the decision made by the Department of Motor Vehicles and request a hearing as per RIGL § 31-28-7 (a). Initial hearings are conducted at Operator Control, but may go as high as the state's Superior Court. The records in the series may include, but are not limited to, disability parking placards for Rhode Island veterans, new (or renewal) disability parking placard applications, Department of Veterans Affairs letters, medical documents and reports (from hospitals, physicians, care facilities, etc.), denial letters from the division, appeal procedure letters, and correspondence between the applicant and the division.

*Retention:* Retain seven (7) years after final disposition of litigation or ten (10) years after case opens, whichever is later.

#### **DMV6 School Bus**

##### **DMV6.1 School Bus Drivers' Applications and Certifications**

The School Bus Section of the Department of Motor Vehicles oversees the certification of school bus drivers. In order to qualify as a school bus driver in the state of Rhode Island, one must be at least twenty-one years of age, have at least three years of driving experience, and have no

convictions for felonies or crimes of moral turpitude. For these reasons, the School Bus Office performs various checks on all applicants for certificates, including criminal background and driving record (as per § 31-10.3-34) before accepting them for the training classes. Applicants whose background checks reveal unacceptable results have the opportunity to appear for a hearing before the Coordinator for School Bus Safety who can then make a decision about whether or not to accept them into the training classes. Passing a series of written tests is necessary to obtain a Commercial Driver's License learner's permit. That permit allows one to take a School Bus Driver Training course, after which a driving skills test must be taken and passed in order for a Commercial Driver's License to be issued, which is a necessary prerequisite to obtaining a School Bus Certificate as per RIGL § 31-10.3-30. The license, along with the school bus certificate, is issued upon passing the driving skills test. These certificates must be renewed annually as per RIGL § 31-10.3-24. Files are also maintained for a time on drivers who fail to renew their certificates. Files are opened for drivers whose applications are pending but have not yet obtained a certificate and these will be maintained even if the prospective driver does not follow through with the process. The items in the files may include, but are not limited to, applications for certificates, recertification applications, annual Bureau of Criminal Identification (BCI) reports, accident reports (submitted by the school bus company or the police department), annual renewal/reapplication forms, annual driver record forms, annual physical examination forms, and various medical forms.

**a) Certified drivers' records**

*Retention:* Retain five (5) years after denial, suspension, revocation, voluntary surrender, or expiration.

**b) Uncertified applicants' records**

*Retention:* Retain five (5) years.

*Note: These are files on individuals who are denied certification or never complete the process. If, after less than five years, an individual does become certified, see DMV6.1a).*

**DMV6.2 Chauffeur's Licenses**

A chauffeur's license allows one to operate a limousine, a taxi, or a small van that carries fewer than fourteen passengers. This authorization is noted on a conventional driver's license. In order to obtain this privilege, one must fill out a form with personal information and provide names and contact information for three references. One must also provide a criminal background check from his or her local police station and pay an additional fee. No one under the age of eighteen may receive a chauffeur's license as per RIGL § 31-10-3. The School Bus section of the Division of Motor Vehicles processes applications for these

licenses and issues them as per RIGL § 31-10-4. The records associated with the process may include, but are not limited to, applications, approval forms, criminal background investigation checks, approval letters, denial letters, and other correspondence.

*Retention:* Retain five (5) years after denial, suspension, revocation, voluntary surrender, or expiration.

**DMV6.3 Driver Training Instructor's Licenses**

The Division of Motor Vehicles licenses individuals to give instruction on operating motor vehicles, motorcycles, and commercial motor vehicles. The licenses issued are Driver Training Instructor licenses. No one can be a driving instructor in the state of Rhode Island without such a license as per RIGL § 31-10-39. Background criminal investigations are conducted on all applicants. Licenses are not issued to anyone who is disqualified medically, has failed a criminal background check or does not have the endorsement of the owner (or prospective owner) of a driving school. The records may include, but are not limited to, applications for licenses, criminal background investigations, approval letters, denial letters, and correspondence between the Division and training schools that are prospective employers.

*Retention:* Retain five (5) years after denial, suspension, revocation, voluntary surrender, or expiration.

#### **DMV6.4 Driving School Licenses**

The Division of Motor Vehicles licenses driving schools. Such schools must have these licenses in order to operate in Rhode Island as per RIGL § 31-10-35. This is true of schools that provide training for operating conventional motor vehicles, motorcycles, and commercial motor vehicles. The applications must include personal information on the applicant(s) as well as information on the proposed schools. The former must include criminal background investigations for the applicants, just as it would for individual instructors, as well as any pertinent information required by the Division to safeguard the public interest as per RIGL § 31-10-36. The administrator of the Division may deny an application or suspend or revoke it after it has been issued for any of the reasons specified in RIGL § 31-10-38. The records in this series may include, but are not limited to, applications, criminal background investigations, approval letters, denial letters, and correspondence between applicants and the division.

*Retention:* Retain three (3) years after denial, suspension, revocation, voluntary surrender, or expiration.

#### **DMV6.5 Hearings on Denied Applications**

Anyone who applies for any sort of licenses under the jurisdiction of the School Bus section of the Division of Motor Vehicles and is denied may appeal the decision as per RIGL § 31-10-42. The Division maintains records on denied applicants whether they appeal the denials or not. The records involve denied applicants for school bus driver certificates, driver training instructor licenses, driving school licenses, and chauffeur's licenses. The files may

include, but are not limited to, applications for any of the aforementioned licenses, driver record abstracts, legal correspondence, correspondence between applicants and the Division, criminal background checks, hearing letters, physical examination forms, medical evaluation/examination forms, and interoffice memoranda for hearings.

*Retention:* Retain seven (7) years after final disposition of litigation or ten (10) years after case opens, whichever is later.

#### **DMV6.6 Approved Truck Route Records**

The School Bus section of the Division of Motor Vehicles receives written requests from trucking companies for truck routes within the state of Rhode Island. The Division responds by sending approved routes for trucks within the state that have been determined by the Rhode Island Department of Transportation. The records in this series may include, but are not limited to, trailer route request forms, correspondence from businesses and the division, interoffice memoranda, and maps of roads and approved routes within the state.

*Retention:* Retain ten (10) years.

## **DMV7 Operator Control Section**

### **DMV7.1 Driver Files**

The Operator Control Section of the Division of Motor Vehicles maintains files on all residents of the state of Rhode Island as well as nonresidents who incur violations that involve motor vehicles and warrant the suspension or revocation of driving privileges. When the state's courts convict an individual of such an offense, they notify Operator Control. Operator Control then suspends the person's license as per RIGL § 31-11-7. The section also handles license reinstatements and voluntary surrenders of licenses. The records in these files may include, but are not limited to, letters from courts, letters informing drivers of infractions or suspensions, Medical Board advisory letters, chauffeur license approval letters, judicial or court judgment letters, and disability parking permit appeal letters. The number of forms associated with this series is in the hundreds.

*Retention:* Retain five (5) years or until driver satisfies any suspensions and/or Court sanctions, which might include classroom retraining and fees and/or fees for reinstatement of a license or registration, whichever is later (maximum 80 years).

*Note: The term "maximum" means that the files can be destroyed after 80 years if a driver does not satisfy suspensions or court sanctions, thereby leaving the file open for that entire period. It is reasonable to assume that after eighty years, a suspended driver will not be taking action to reinstate driving privileges.*

### **DMV7.2 Driver Retraining Files**

Rhode Island drivers whose licenses are suspended must complete a Driver Retraining course in order to have their licenses reinstated. In some situations, licensed drivers must complete the course in order to avoid having a license suspended. Those not licensed in Rhode Island may complete a similar course in their states of registration in order to retain their driving privileges in Rhode Island or to have them restored if they have been taken away. Completion of such a course for out-of-state residents results in an expunging of the suspension in Rhode Island. Among the courses that may be required, depending on the infraction, are Driver Retraining (often associated with driving while intoxicated – DWI – and outpatient treatment for alcohol or drug abuse as per RIGL § 31-27-2(d)), Defensive Driving (as per RIGL § 31-27.1-4 for aggressive driving convictions), and community restitution as per RIGL § 31-27-2.1 (b)(1). The records in this series may include, but are not limited to, driver retraining application forms, community restitution cards, DWI cards, DWI pre-registration forms, defensive driving cards, defensive driver pre-registration forms, defensive driving notification letters, treatment cards, status report letters, out-of-state letters,

license/registration surrender forms, defensive driving course completion lists, and copies of payment receipts for driver retraining class signups.

*Retention:* Retain five (5) years or until driver satisfies any suspensions and/or court sanctions, which might include classroom retraining and fees and/or fees for reinstatement of a license, whichever is later (maximum 80 years).

*Note: The term “maximum” means that the files can be destroyed after 80 years if a driver does not satisfy suspensions or court sanctions, thereby leaving the file open for that entire period. It is reasonable to assume that after eighty years, a suspended driver will not be taking action to reinstate driving privileges.*

### **DMV7.3 Community Restitution – Organizational Records**

In certain instances, community restitution is required of motor vehicle violators before they can have their driving privileges restored. Non-profit organizations may offer these violators opportunities to complete this restitution. Such organizations must provide descriptions of the services expected and the hours and days that are available for such work. The records in the series may include, but are not limited to, cards or other documents that give the names and addresses of participating organizations along with the available times and work details.

*Retention:* Retain until the organization ceases its participation.

## **DMV8 License Section**

### **DMV8.1 Applications for Licenses, Learner’s Permits, and State Identification Cards**

The License Section of the Division of Motor Vehicles issues driver’s licenses, learner’s permits, state identification cards, out-of-state transfers of driver’s licenses, motorcycle licenses, and motorcycle learner’s permits. The section accepts applications for all of these, administers the appropriate examinations, and then grants or denies them based on the test results. The contents of these applications are specified by RIGL § 31-10-12. Applications may also be denied if identifications or information on applications are found to have been falsified. Licenses also may not be issued to anyone under the age of eighteen who has not completed a driver’s education course as per RIGL § 31-10-20. Licenses must be periodically renewed as per RIGL § 31-10-30. The records in this series may include, but are not limited to, application forms, birth certificates, baptismal certificates, passports (from the United States or other countries), naturalization certificates, documents showing entry dates into the United States, temporary resident identification cards, employment authorization cards, military identification cards, Native American tribal identification cards, social security cards, work identifications, school identifications, voter registration cards, utility bills, personal checks, banks statements, leases, rental agreements, welfare check stubs, food stamp cards, insurance policies, property tax bills, class certificates, letters from Rhode Island shelters, letters from halfway houses, change of address cards, motorcycle instruction class certificates, and 50-hour affidavits for permits.

*Retention:* Retain ten (10) years after holder voluntarily surrenders license (or permit or state identification card), dies, or moves out of state.

### **DMV8.2 Road Test Examination Results**

The Licensing Section of the Division of Motor Vehicles administers road tests to applicants for motor vehicle licenses as per RIGL § 31-10-22. Road tests are not required for applicants who already have a license from another state or from a federal agency that has a reciprocal agreement with the state of Rhode Island in the matter of requirements for operator's licenses as per RIGL § 31-10-24. Road tests *are* required for renewal of a Rhode Island driver's license that has been expired for more than three years or for an out-of-state license that has been expired for more than a year. The records in this series may include, but are not limited to, road test rating sheets (prepared by the examiners) and pass/fail results.

*Retention:* Retain ten (10) years after holder voluntarily surrenders license (or permit or state identification card), dies, or moves out of state.

### **DMV8.3 Instructional Permit Examination Records**

The Licensing Section of the Division of Motor Vehicles administers written tests to applicants for motor vehicle licenses who are required to take them as per RIGL § 31-10-21. The tests administered are given to those seeking a regular driver's license, commercial driver's license, additional endorsements for an existing commercial driver's license or an upgrade of a license class for an existing commercial driver's license. Anyone who has successfully completed a driver education course as set forth in RIGL § 31-10-19 and has passed a standardized written driver's license examination approved by the director of the Department of Revenue shall not be required to take the written examination at the Division of Motor Vehicles. Vision tests are required of all applicants at the time of application, whether it is an application for a new license or for a renewal. These records may include, but are not limited to, examination results for each applicant and any supporting documentation.

*Retention:* Retain ten (10) years after holder voluntarily surrenders license (or permit or state identification card), dies, or moves out of state.

### **DMV8.4 Photo License Waiver Affidavits**

Licensed drivers who are out of the state when their licenses are due to expire must complete affidavits and mail them in to renew their licenses. The licenses issued may have photos that are already on file in the system or, if no such photo is available, the license will have the words "Valid Without Photo" contained within the area where a photo would normally be placed. Applicants must obtain eye exam cards, completed by an optometrist or ophthalmologist as per RIGL § 31-10-21, and include it in the mailing. The records in this series may include, but are not limited to, waiver affidavits, eye exam cards, birth certificates, and baptismal certificates.

*Retention:* Retain ten (10) years after holder voluntarily surrenders license (or permit or state identification card), dies, or moves out of state.

**DMV9 Mail Room Section**

**DMV9.1 Plate Cancellations for Leasing Companies**

The state of Rhode Island issues license plates to leasing companies for the vehicles they rent out as per RIGL § 31-3-13. When the companies lose these plates, have them stolen, or otherwise find themselves no longer in possession of them, they may file a request to have them cancelled. These requests, prepared on company letterhead, are signed, notarized affidavits. The affidavits explain that the companies are not currently in possession of the plates and note the circumstances (lost, stolen, or other). They also note specific information about the vehicles involved such as the vehicle identification number, plate number, make, and model. The records may include, but are not limited to, affidavits from the leasing companies, cancellation of plate forms, copies of refund applications, and any associated correspondence.

*Retention:* Retain three (3) years.

**DMV9.2 Refund Applications**

Holders of vehicle registrations are, if a registration is voluntarily cancelled prior to its expiration date, entitled to a refund of at least some of the funds paid for the plate as per RIGL § 31-6-1(b). Those whose applications for registrations but are refused or rejected are also entitled to refunds as per RIGL § 31-6-14. As per RIGL § 31-31-21, any deposit made as security as a result of a motor vehicle accident may be refunded three years after the accident provided that no judgment is pending against the person on whose behalf the deposit was made. Applications must be submitted to obtain these refunds, whether they are owed to individuals or to corporations. Refunds may be issued through a wide variety of transactions including, but not limited to, inspections, security bonds, registration, tow reimbursement, reinstatement fees, and the International Registration Plan. The International Registration Plan is a registration reciprocity agreement among all states in the United States, the District of Columbia, and all Canadian provinces for payment of apportioned fees based on the total distance driven in the various jurisdictions. An example of this involves a truck driver whose daily route consists of driving through parts of four different states. Each state is entitled to a portion of a registration fee based on the mileage driven and the amount of the load in the truck. Drivers pay this fee upfront and if any is owed back by a particular state at the end of the year paid for, it is reimbursed at that time. The records in the series may include, but are not limited to, refund applications, plate cancellation forms, notices of restoration, copies of motor vehicle registration certificates, copies of bonds, copies of releases of bonds, correspondence, copies of death certificates (for deceased registration holders), and copies of probate papers (for deceased registration holders).

*Retention:* Retain three (3) years.

### **DMV9.3 Refund Application Denials**

Applications for refunds on vehicle registrations and other items handled by the Division of Motor Vehicles may be denied due to certain disqualifications. Applications may be denied for a number of reasons. Examples of reasons for disqualification include, but are not limited to, not following instructions on applications properly, not providing all required information, claiming a refund when not eligible for one, or submitting false information on a claim. When an application is denied, the Division draws up a letter explaining the reason for the denial and sends it back to the customer, along with any supporting documentation that validates the reason for rejecting the claim. The records in this series may include, but are not limited to, correspondence from the Division and applicants, plate cancellation forms, refund applications, notices of restoration, copies of motor vehicle registration certificates, copies of bonds, copies of releases of bonds, copies of death certificates (for deceased registration holders), and copies of probate papers (for deceased registration holders).

*Retention:* Retain three (3) years.

### **DMV9.4 Sample Plate Listings**

The Division of Motor Vehicles sells sample plates to serve as novelties that cannot be used on motor vehicles. These plates are the same size as standard plates but do not have valid numbers. No individual may purchase more than one of these plates so records are kept to keep track of each person who orders one. This restriction is imposed to prevent the resale of such plates for profit. The records in the series may include, but are not limited to, listings of names and contact information for applicants. These listings also note check or money order number and the date of purchase.

*Retention:* Retain five (5) years.

## **DMV10 Title Section**

### **DMV10.1 Title Suspensions**

The Division of Motor Vehicles may suspend or revoke a certificate of title to a vehicle in certain circumstances as per RIGL § 31-3.1-25. Situations that can lead to such a suspension include, but are not limited to, a revelation that a title was fraudulently procured or erroneously issued, the scrapping, dismantling, or destruction of the vehicle, or failure to pay vehicle taxes. Suspensions apply to all types of titles including, but not limited to salvage titles, duplicate titles, and tax and titles. Once a suspension is imposed, it is tied to a title until it is cleared. Vehicles registrations cannot be renewed and vehicles may not be sold as long as a suspension is tied to a title. The records in this series may include, but are not limited to, suspension letters sent to customers, screenshot printouts concerning the suspension from the Division's computer system, title and registration applications, original titles, copies of titles, transfers of ownership, reassignments of dealerships, and copies of vehicle identification number checks.

*Retention:* Retain eleven (11) years or until driver resolves any and all issues with the suspension, whichever is later (maximum 80 years).



**DMV10.2 Title Runs**

The Title Section of the Division of Motor Vehicles maintains daily transaction totals for titles. These tallies note the numbers of titles processed during each business day and breaks them down further to note how many were “cash” titles (titles with no liens) and how many were “lien” titles (titles with existing loans). These records are a convenience for cross-referencing and double-checking to ensure that titles and any applicable information is accurate and processed properly. The records in this series may include, but are not limited to, printout sheets with breakdowns of daily transactions.

*Retention:* Retain one (1) year.

**DMV10.3 Security Interest**

The Division of Motor Vehicles maintains records of lienholders on vehicles registered in the state of Rhode Island. These lienholders are listed on titles issued for these vehicles. Maintaining this information allows the Division to have it immediately available in the event of repossession of a vehicle, a process laid out in RIGL § 6-51. The records in this series may include, but are not limited to, security interest forms and any associated information from the lienholder or the vehicle registrant.

*Retention:* Retain eleven (11) years.

**DMV10.4 Certificates of Title Withdrawal**

Purchasers of vehicles sometimes return the vehicles to dealers and ask that the process of creating a title be withdrawn before it is completed. The Title Section of the Division of Motor Vehicles maintains records of these withdrawals. Among the most common reasons for withdrawal are that the purchaser disliked the vehicle, disliked the color of

the vehicle, or found that the vehicle had mechanical problems. Such withdrawals must occur within twenty-four (24) days of the registration of the vehicle to be valid. The records in this series may include, but are not limited to, withdrawal statement forms, copies of certificates of title, copies of registration certificates, registration applications, copies of bills of sale, copies of driver’s licenses, release of lien letters, and correspondence from purchasers and dealerships.

*Retention:* Retain eleven (11) years.

**DMV10.5 Registration and Title Information**

The Division of Motor Vehicles maintains month-by-month records of all registration and title information as per RIGL § 31-3-7. This includes personal information on all applicants such as name and address and also information on the vehicles involved such as plate number and vehicle identification number. The records may include, but are not limited to, monthly lists of registrants and titles containing all of the aforementioned information for each entry.

*Retention:* Retain eleven (11) years.

**DMV10.6 Request for Title Information**

Customers of the Division of Motor Vehicles sometimes request information from specific titles for a variety of reasons such as insurance purposes, suspicion of forgery or fraud, loss of original title, verification of vehicle identification number, verification of lienholder, identification or verification of previous owner, abandonment of vehicle, or failure of lienholder to receive a title. The Division issues the information as per RIGL § 31-3.1-6 and maintains records of these requests. Records in this series may include, but are not limited to, request for title information forms, copies of receipts for transactions, copies of registration applications, transfer of ownership applications, reassignment of dealership applications, copies of insurance policies, copies of vehicle identification checks, copies of original titles, affidavits, and copies of releases of liens.

*Retention:* Retain one (1) year.

**DMV10.7 Returned Titles**

For a certain amount of time, the Division of Motor Vehicles retains titles that are returned because they are sent to undeliverable addresses. They are kept in the hope that the applicants will come to the Division to claim them. The records in the series may include, but are not limited to, titles and any associated documentation sent through the mail and returned.

*Retention:* Retain three (3) years.

**DMV10.8 Salvage Title Reports**

Insurance companies take possession of vehicles they provide coverage for that have been declared total losses because of damage to the vehicles. These companies deliver the titles of the vehicles to the Division of Motor Vehicles and obtain salvage certificates of title in their place as per RIGL § 31-46-1. The Title Section of the Division creates weekly reports of all salvage titles created. These reports serve simply as a convenience when cross-referencing and double-checking to make sure the salvage title information is accurate.

*Retention:* Retain one (1) year.

**DMV10.9 Bonds for No Title**

Some who apply for certificates of title to vehicles lack sufficient documentation to verify ownership of the vehicle in question or to prove that there is no undisclosed security interest in it. In those situations, the Division of Motor Vehicles may register the vehicle anyway, but will withhold issuance of a title until the applicant provides adequate documentation of ownership and proof of no undisclosed security interest or require the applicant to file a bond in the amount of one and a half (1½) times the value of the vehicle as per RIGL § 31-3.1-9. The bond, along with any deposit, will be returned to the applicant after three years or until the vehicle ceases to be registered in the state of Rhode Island. The records in this series may include, but are not limited to, bond applications, power of attorney letters, verifications of vehicle identification numbers, foreign state title forms, copies of National Insurance Crime Bureau (NICB) and National Crime

Information Center (NCIC) checks, copies of use tax forms, copies of registration applications, copies of bills of sale, copies of foreign state titles, release of lien letters, correspondence from attorneys, underwriters, and or the Division, transfers of ownership, reassignment of licensed dealers, acknowledgements by surety letters, odometer disclosure statements, manufacturer statements of origin, and other supporting documents.

*Retention:* Retain eleven (11) years.

## **DMV11 Registration Section**

### **DMV11.1 Dealership Temporary Plates Issued**

Automobile dealers may apply to the Division of Motor Vehicles for special use identity tags (known as temporary plates) for use on vehicles they sell as per RIGL § 31-3-40. Purchasers may then use the tags as temporary license plates until they register the vehicle. The time of validity for these plates is limited. The forms involved note the names of the dealerships, the names of the representatives involved (along with their license numbers), and the numbers of packs of plates issued. The records in the series may include, but are not limited to, the forms described and booklets of lists of applications.

*Retention:* Retain three (3) years.

## **DMV12 Dealer's License Section**

### **DMV12.1 Motor Vehicle Dealer Business Licenses**

Vehicle dealers, vehicle leasing and rental companies, manufacturers of vehicles, vehicle distributors, and vehicle factory representatives all have business dealings with the Division of Motor Vehicles as per RIGL § 31-5-5, RIGL § 31-5-6, and RIGL § 31-5-7. All are required to interact with the Division for various reasons including, but not limited to, first time applications for licenses, business name changes, corporate officer changes, changes in ownership or partnership, annual license renewals, address changes, adding or replacing dealer plates, and business annex applications. The records in this series vary for different types of businesses. For vehicle dealers they may include, but are not limited to, applications for licenses, financial statements and balance sheets, requests for additional sets of dealer plates, investigation report forms (for transfers and first applications), lease agreements, applications for business operating licenses (issued by municipal clerks), copies of business registrations, fictitious business name statements, correspondence with banking institutions, Bureau of Criminal Investigation applications, letters to local chiefs of police, duplicates of original articles of incorporation, letters of approval from auto manufacturers, copies of security bonds, renewal applications, police incident reports (for lost or stolen dealer plates), employee lists, workers' compensation lists, changes in corporate officers' applications, address change applications, licenses to sell motor vehicles (from the Rhode Island Motor Vehicle Dealers' License and Regulations Office), transfer applications, certificates of incorporation, certificates of zoning compliance, and records of lines of credit. Many similar records may be produced for leasing and rental companies, but additional records such as motor vehicle leasing license supplemental statements and applications for amended certificates of authority may also be included. Finally the

interactions of manufacturers, distributors, and factory representatives also generate similar documentation as well as other items including, but not limited to, certificates as to distributor agreements, letters of intent, certificates of existence, and office relocation sheets.

*Retention:* Retain ten (10) years from the date the business closes, chooses not to renew its license, or has its license revoked.

### **DMV12.2 Complaints Against Dealerships**

The Division of Motor Vehicles receives any complaints filed by consumers against motor vehicle dealerships, vehicle rental and leasing businesses, manufacturers, and distributors. The complaints may be resolved one of two ways. The aggrieved party may reach a settlement with the dealership or business or the Rhode Island Dealers' Hearing Board (authorized by RIGL § 31-5-2.1) may make a decision. The records in the series may include, but are not limited to, correspondence from dealerships, lawyers for dealerships, and/or the Dealers' License and Regulations Office, copies of certificates of title, copies of purchase orders, complaint forms, follow-up sheets from the Dealers' License and Regulations Office, bills of sale, copies of motor vehicle inspection reports, employee lists, copies of renewal applications for dealer's licenses, copies of dealership cards, invoices of vehicle repairs, copies of buyer's guides, copies of retail installment contracts, security agreements, motor vehicle leasing license applications, and leasing renewal applications.

*Retention:* Retain ten (10) years.

### **DMV12.3 Defunct Motor Vehicle Business Dealer Files**

The Division of Motor Vehicles maintains records for each motor vehicle business that applies to go out of business. This includes motor vehicle dealerships, rental companies, leasing companies, manufacturers, distributors, and factory representatives. Business may terminate their operations for a variety of reasons including, but not limited to, voluntary retirement, voluntary surrender of the business, or revocation of a license by the Rhode Island Dealers' License and Hearing Board (the latter authorized by RIGL § 31-5-11). The types of documents contained in the series vary by the type of business involved. For dealerships, the records may include, but are not limited to, applications for dealer's licenses, financial statements, balance sheets, requests for additional sets of dealer plates, transfer report forms, first investigation report forms, lease agreements, applications for business operating licenses (from municipal clerks), copies of business registrations, fictitious business name statements, correspondence (from banking institutes, the Division of Motor Vehicles, and dealers), Bureau of Criminal Investigation applications, letters to local police chiefs, duplicates of original articles of incorporation, letters of approval from auto manufacturers, copies of surety bonds, renewal applications, police incident reports, employee lists, applications for changes in corporate officers, address change applications, licenses to sell motor vehicles (issued by the Rhode Island Motor Vehicle Dealers' License and Regulations Office), transfer applications, certificates of incorporation, and certificates of zoning compliance. Records involving leasing and rental companies include many of the same documents but may also include such items as leasing license applications, license renewal applications, copies of Rhode Island special financial responsibility insurance certificates, applications for amended certificates of authority, and leasing license supplemental statements. Manufacturers, distributors, and factory representatives also generate many of the same documents, but their files may also include certificates of existence, dealership agreements, and office relocation sheets.

*Retention:* Retain ten (10) years.

#### **DMV12.4 Lease License Waivers**

If businesses in Rhode Island lease no more than five vehicles during any year, they can apply to have the requirement for lease licenses waived. Such businesses must also meet the insurance requirements of the state by submitting an appropriate insurance filing. Any business that leases or rents more than five vehicles per year must obtain a license as per RIGL § 31-5-33. The lease licenses waivers are only valid for one year and therefore businesses must reapply each year for the exemption. The records of these applications may include, but are not limited to, letters requesting waivers from businesses, copies of financial responsibility insurance certificates, correspondence between lessors and the Division of Motor Vehicles, and letters approving or denying waiver requests.

Retention: Retain ten (10) years.

#### **DMV12.5 Recordings of Dealer Hearing Board Sessions**

Audiotape recordings are made when cases are heard before the Dealers' License and Hearing Board. The Board uses the tapes for reference. The records in the series include the tapes, which are marked with the date of the hearing.

*Retention:* Retain ten (10) years.

#### **DMV13 Enforcement Section**

##### **DMV13.1 Investigation Reports**

The Enforcement Section of the Division of Motor Vehicles investigates a wide variety of issues and incidents that arise within the Division, many of them involving specific registrants. A wide variety of laws cover incidents that warrant investigation. These include, but are not limited to RIGL § 3-8-6.3 (concerning fake driver's licenses), RIGL § 11-49.1 (concerning impersonation and identity fraud), RIGL § 31-3-14 (concerning bailee and in transit plates), RIGL § 31-3-23 (applications for dealer's plates), RIGL § 31-8-3 (improper uses of evidence of registration or certification of title), and RIGL § 31-38-1 (sales of vehicles lacking required equipment, in unsafe condition, and/or without an inspection sticker). Bailee plates refer to plates issued for tow trucks (usually owners of garages, automobile repairers, or anyone in a business requiring repossession of vehicles). Violations of the requirements specified in these laws may result from intentional neglect but for some of the laws, they can just as easily come about when checks to pay for the required licenses come back stamped "Insufficient Funds". The records in the series may include, but are not limited to, investigation reports, reports of unfit/unsafe vehicle inspections, request forms to inspect vehicles, police reports of accidents, computer system printouts, photographs of licensees, copies of birth certificates of licensees (originals in some cases), applications for licenses, applications for permits, correspondence between the Division of Motor Vehicles and customers, police incident reports, copies of social security cards (originals in some cases), copies of motor vehicle registration certificates, notice of action letters, copies of personal checks (stamped "Insufficient Funds"),

witness statements, lease agreements, applications for transporter plates, applications for in-transit plates, applications for bailee plates, copies of licenses, copies of identification cards, copies of permits, and complaint forms.

*Retention:* Retain ten (10) years.

### **DMV13.2 Flashing Light Permits**

Flashing light permits are issued to certain types of vehicles in Rhode Island as per RIGL § 31-24-31. The vehicles eligible for such permits include authorized emergency vehicles, school buses, snow removal equipment, telephone company vehicles, police vehicles, fire trucks, rescue vehicles, and ambulances. For all other vehicles, flashing lights are prohibited. The lights vary in color depending on the type of vehicle involved. Once issued, flashing light permits are valid only until the end of the year and permit holders must submit applications for renewal prior to that day to prevent interruption of the privilege of using the lights. The records in this series may include, but are not limited to, flashing light permit applications, copies of registration inquiries, copies of Rhode Island registration certificates (registration cards), correspondence, and renewals of emergency vehicle permits.

*Retention:* Retain ten (10) years.

### **DMV13.3 Kit Vehicle Inspection Records**

Kit vehicles are vehicles built by individuals rather than manufacturers as defined by RIGL § 31-1-6. These vehicles are subject to inspection laws similar to those of any other vehicle operated in the state of Rhode Island and must be inspected by proper officers as per RIGL § 31-38-2. Before being issued a Rhode Island vehicle identification number, a kit vehicle must conform to all state motor vehicle safety requirements. Some additional documents are required for kit vehicle inspection such as photocopies of the manufacturer's certificate of origin, photocopies of titles (in kit owners' names), color photographs of completed vehicles, and photocopies of the manufacturer's statement of origin. The records in the series may include, but are not limited to, all of the aforementioned documents, garage repair orders, parts placement orders, bills of sale, verifications of vehicle identification numbers, foreign state title forms, affidavits, copies of tax information on the vehicle, and copies of Rhode Island licenses.

*Retention:* Retain ten (10) years.

### **DMV13.4 Salvage Inspection Records**

When vehicles licensed in Rhode Island are involved in accidents, the insurer determines whether or not the vehicle in question should be deemed a total loss. When this happens, a salvage certificate of title must be issued for the vehicle as per RIGL § 31-46-1. This certificate must be issued before a salvage inspection can occur. The insurer is responsible for acquiring the salvage certificate of title from the Division of Motor Vehicles unless the owner opts to retain the vehicle. In those situations, the owner must obtain the certificate. The owners must also keep all records of work orders for parts or repairs and all photographs of the vehicle before and after the repairs are completed and submit them before a salvage inspection is carried out. The records in this series may include, but are not limited to, applications for salvage inspections, copies of salvage titles, certificates of salvage repair issued by the Department of Business Regulation, photos of the vehicles, verifications of

identification numbers, verifications of titles from other states, correspondence between customers and the Division of Motor Vehicles, and licenses for repair of salvaged vehicles.

*Retention:* Retain ten (10) years.

## **DMV14 Overweight-Oversize Permits/Financial Responsibility Section**

### **DMV14.1 Oversize Permits**

The total width of any vehicle traveling on roads in Rhode Island is restricted to 102 inches as per RIGL § 31-25-3. This includes the load the vehicle is carrying. RIGL § 31-25-4 restricts the height of any vehicle and/or its load to 162 inches. Businesses may, however, obtain special permits for the movement of non-reducible loads. These permits may take the form of “Trip” permits or “Blanket” permits. A trip permit is a one-time only permit, usually valid for a maximum of five days that allows a driver with a load that exceeds legal limits, but is non-reducible, permission to transport it from one specific place to another. A blanket permit also allows intrastate movement of loads that exceed legal limits but are non-reducible. A blanket permit, however, is not restricted to one trip. Instead it is a one-year authorization to move oversize loads on a regular basis with the size and weight limits prescribed. Applications for both of these permits describe the vehicles involved and the loads to be operated or moved. They also describe the highways that the vehicle may travel – use of some routes may not be permissible even with the permits. The records in this series may include, but are not limited to, trip permit applications, blanket permit applications, certificates of liability insurance, and correspondence.

*Retention:* Retain three (3) years.

### **DMV14.2 Overweight Permits**

Businesses must apply for special permits in order to transport any load within Rhode Island that exceeds the maximum weight allowed by law as per RIGL § 31-25-1. The applications must describe the vehicle or vehicles and load to be operated or moved, the particular highways for which the permit to operate is requested, and must indicate whether the permit is requested for a single trip or for continuous operation as per RIGL § 31-25-22. The records in this series may include, but are not limited to, overweight permit deposit reports, renewal applications for reducible load permits, information registration plan (IRP) apportioned registration cab cards, gross vehicle weight certification forms, customer correspondence, copies of state issued semi-trailer registration cards, copies of certificates of origin for vehicles, applications for permits to move reducible loads in excess of legal limits, and certificates of compliance.

*Retention:* Retain three (3) years.

### **DMV14.3 Schedules for Heavy Highway Vehicles**

Drivers of vehicles weighing 55,000 pounds or more (and/or their employers) are subject to a Federal tax as per 26 USC § 4481. The tax is essentially a Federal excise tax and is based on the fiscal year. The state maintains these records to prove that this tax has been paid before such vehicles are registered. The records may include, but are not limited to, heavy highway vehicle use tax returns and associated correspondence.

*Retention:* Retain three (3) years.

#### **DMV14.4 Self Insurance Records**

Anyone who has more than twenty-five vehicles registered in his or her name may qualify as a self-insurer in Rhode Island by obtaining a certificate of self-insurance form from the Division of Motor Vehicles as per RIGL § 31-33-9. The division may issue such a certificate upon being satisfied that the person is possessed, and will continue to be possessed, of the ability to pay any judgments obtained against him or her. The person is then authorized to act as a self-insurer for property damage, bodily injury, or both. Certificates must be renewed biennially. The records in the series may include, but are not limited to, applications for certificates of self-insurance, affidavits, self-insurer certificates, and correspondence.

*Retention:* Retain three (3) years from the date the policy is canceled or becomes ineffective due to failure to renew.

#### **DMV14.5 Financial Responsibility Forms**

The state of Rhode Island mandates that individuals carry insurance liability coverage for their own vehicles and, in some situations, insuring themselves as a licensed operator (applicable when a person does not own a vehicle but is required to carry special liability insurance for his or her license). In this latter situation, the Division of Motor Vehicles usually notifies individuals who need this special insurance. This insurance is mandated by the Division for “problem drivers” whose licenses are revoked or suspended (as per RIGL § 31-32-4), failed to show proof of insurance when stopped by a law enforcement agent, or have been convicted of driving under the influence (DUI) or driving while intoxicated (DWI). This series consists of the financial responsibility forms. The forms include information on the drivers such as name, address, driver’s license number, birth date, social security number, policy number, effective dates of policy, vehicle make, vehicle identification number, and the name of the insurance company.

*Retention:* Retain three (3) years from the date the policy is canceled or becomes ineffective due to failure to renew.

#### **DMV14.6 Special Financial Responsibility Insurance Certificate**

Special motor vehicle insurance is required in Rhode Island for certain types of business. Among the businesses affected by this requirement are motor vehicles for hire (motor vehicle and truck rental as per RIGL § 31-34-1), taxicabs and limited public motor vehicles (as per RIGL § 39-14-18), motor vehicle dealers, drivers with bailee license plates (garages, automobile repairers, or repossessors of motor vehicles), drivers with in-transit license plates (those in the business of moving special mobile equipment to and from the location of any type of construction), drivers with transporter plates (those who move regular motor vehicles – tow trucks), registered owners of school buses (as per RIGL § 31-22-10.1), and fuel delivery vehicles. This same special insurance is also required for individuals under the age of eighteen who wish to have vehicles registered in their names as per RIGL § 31-33-11. The requirement ends for minors when they reach their eighteenth birthdays. The records in this series consist of the special responsibility forms. The forms include such data as the drivers’ names, addresses, insurance policy



numbers, effective dates, year, make and model of vehicle, vehicle identification numbers, effective dates of the special insurance, dates of completion of forms, and names of insurance companies involved.

**a) Records of businesses**

*Retention:* Retain three (3) years from the date the division receives notification of cancellation of the policy, termination of the policy, or failure to renew the policy.

**b) Records of minors**

*Retention:* Retain three (3) years from the driver's eighteenth birthday.

**DMV14.7 Financial Responsibility Notice of Cancellation or Termination**

Insurance providers send notices of cancellations and terminations of policies to the Division of Motor Vehicles for individuals or businesses that fail to maintain special financial responsibility insurance as RIGL § 31-32-25. These cancellations or terminations can result from failure to prove financial responsibility (as per RIGL § 31-32-5), nonpayment of judgment (as per RIGL § 31-32-10), or various other reasons. The records in this series include notices of cancellation or termination. The forms include such data as the drivers' names, addresses, insurance policy numbers, effective dates, year, make and model of vehicle, vehicle identification numbers, effective dates of the special insurance, dates of completion of forms, and names of insurance companies involved.

*Retention:* Retain three (3) years.