

Registrar's Decision Notification 01/2005

Access to Motor Vehicle Information Regulation (AMVIR)

On October 5, 2005 AR 154/2005 amended the *Access to Motor Vehicle Information Regulation* (AMVIR) AR 140/2003 by refining the two parking related purposes under section 2(1). To comply with the requirements of AMVIR and to provide further clarification with respect to the parking related purposes the Registrar of Motor Vehicle Services decides:

1. Managing Private Parking Purpose:

The description of the AMVIR purpose 2(1)(o.1) on page 4 of *Registrar's Decision Notification 01/2004* is substituted with new amended purpose 2(1)(o.1).

Categories of persons and/or organizations:

The description of the categories of persons and/or organizations under AMVIR purpose 2(1)(o.1) on page 17 of *Registrar's Decision Notification 01/2004* is substituted with:

2(1)(o.1)

The Registrar may, on request, release information on the Registrar's motor vehicle information system, collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles, only to a **commercial parking company** for the purposes of managing parking in a parking lot in Alberta.

Commercial parking company definition:

For the purpose of s. 2(1)(o.1) of AMVIR, 'commercial parking company' means any business incorporated in Canada and authorized to do business in Alberta and whose main business activity is managing parking lots on behalf of commercial parking lot owners:

- (1) That has obtained a business licence, business permit, or a town licence, depending on the location of the parking lot in Alberta;
- (2) Is directly engaged in the business of providing paid vehicle parking upon property located in Alberta owned or managed by that business, and approved for public parking of vehicles;
- (3) Manages, on behalf of commercial parking lot owners at least 250 parking spaces in one or more commercial parking lots in Alberta;
- (4) Provides the Registrar with an updated list of all municipalities in Alberta in which the business entity manages parking lots;
- (5) Agrees that the information provided by the Registrar of Motor Vehicle Services may be used by the commercial parking company only in connection with notification, collecting, or attempting to collect the commercial parking company's own claims, owed or due or asserted to be owed or due for parking of vehicles;
- (6) Agrees to be responsible for the validity of each and any individual request for release submitted to the Registrar of Motor Vehicle Services and for the confidentiality of all the information released;

- (7) Agrees that no individual patrolling the parking lots may have access to the personal information released by the Registrar of Motor Vehicle Services;

Before requesting the name and address of the owner of a motor vehicle that was parked in a parking lot in Alberta without displaying the proof of payment of the required fee in accordance with the instructions posted in that parking lot the commercial parking company managing that parking lot must ensure that there are notices clearly and conspicuously placed at entrances to and at several other places in the parking lot, that state: *"In accordance with legislation in Alberta, the Registrar of Motor Vehicle Services may release the name and address of the owner of any motor vehicle parked in this parking lot without displaying proof of payment of the required fee in accordance with the instructions posted in this lot."*

2. Parking Enforcement Purpose:

After the description of the AMVIR purpose 2(1)(o.1) on page 4 of *Registrar's Decision Notification 01/2004* the following new purpose is added:

2(1)(o.2)

The Registrar may, on request, release information on the Registrar's motor vehicle information system, collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles, only to a municipal parking authority, a public body or a law enforcement agency for the purpose of enforcement of a parking restriction in Alberta.

Categories of persons and/or organizations:

Under the description of the categories of persons and/or organizations the following is added after the AMVIR purpose 2(1)(o.1) on page 17 of *Registrar's Decision Notification 01/2004*:

2(1)(o.2)

The Registrar's decision is to release personal motor vehicle information on the Registrar's motor vehicle information system, collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles only for the purpose of enforcement of a parking restriction in Alberta. For the scope of this purpose the Registrar's decision is to grant access to the following public bodies:

- (i) Alberta law enforcement agencies;
- (ii) Alberta Municipalities, provided the enforced parking restrictions are clearly listed in the application for access and the AMVIR Agreement;
- (iii) Alberta municipal parking authorities, provided the enforced parking restrictions are clearly listed in the application for access and the AMVIR Agreement;
- (iv) Alberta Regional Health Authorities, provided the enforced parking restrictions are clearly listed in the application for access and the AMVIR Agreement;
- (v) Alberta post-secondary institutions designated as public bodies under the Freedom of Information and Protection of Privacy Act, provided the enforced parking restrictions are clearly listed in the application for access and the AMVIR Agreement;

- (vi) Government of Alberta Departments, provided the enforced parking restrictions are clearly listed in the application for access and the AMVIR MOU;
- (vii) Public bodies as defined in the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, provided the enforced parking restrictions are clearly listed in the application for access and the AMVIR Agreement;

3. Notification and Review Process

This notification was released on December 22, 2005. Any person may, within sixty days after the date of this publication, ask the Information and Privacy Commissioner to review the decision of the Registrar in accordance with Part 5, Division 1.1 of the *Freedom of Information and the Protection of Privacy Act*.

On the issuance of this notification, in accordance with subsection 4(1) of AMVIR, notice is deemed to have been given for the current and any future releases of the category of information and of the person or category of persons to whom the information is released/or is not released as described in this notification, for the purposes of notice under Part 5, Division 1.1 of the *Freedom of Information and Protection of Privacy Act*.