

(1) In accordance with §§ 32-8-45 and 40-12-399, Code of Ala. 1975, every licensed dealer must maintain for five years a record, in a form as prescribed by the department, of every vehicle bought, sold, exchanged, or received for sale or exchange. These records shall be open to inspection by representatives of the department and law enforcement officers during reasonable business hours.

(2) Records must include the following information:

(a) Name and complete address (P. O. Box number not acceptable) of person buying, selling, or exchanging vehicle with dealer.

(b) Name and complete address (P. O. Box number not acceptable) of owner from whom a vehicle was received for sale or exchange.

(c) Complete vehicle description: year, make, model, or series number, vehicle identification number and body type.

(d) Date of transaction.

(e) Statement that the identification number has been obliterated, defaced, or changed if such is the fact.

(3) The department may require designated agents or if applicable, their contracted Title Service Providers as defined under § 32-8-34, Code of Ala. 1975, to submit title applications and supporting documents electronically. If a title application and supporting documents are submitted electronically, the following requirements will apply:

(a) The word "SURRENDERED" must be stamped or printed in bold type across the front of the certificate of title. The designated agent must maintain title documents as provided in paragraph (1) of this rule.

(b) The original title application and supporting documents must be securely maintained by the designated agent for at least six (6) months from the date of the electronic submission of the documents.

(c) An electronic copy of the title application and supporting documents must be maintained by the designated agent for at least five years from the date of the electronic submission of the documents.

(4) Designated agents or if applicable, their contracted Title Service Providers must secure all physical and electronic title applications and supporting documents to prevent personal information from being released in a manner contrary to the permitted disclosure provisions of the Federal Driver's Privacy Protection Act, 18 U.S.C. §2721. If there is reason to suspect any unauthorized access or disclosure has occurred, related to confidential or sensitive information in their possession, notification to the department, via telephone must be made within twenty-four hours of the incident followed by a written affidavit of the occurrence within five days of the initial reporting.

(5) Designated agents or if applicable, their contracted Title Service Providers must securely dispose of all physical and electronic records that exceed the record retention period as provided in paragraph (3) of this rule to prevent personal information from being released in a manner contrary to the permitted disclosure provisions of the Federal Driver's Privacy Protection Act, 18 U.S.C. §2721.

(6) Designated agents or if applicable, their contracted Title Service Providers must adhere to the following standards required for the secure disposal of confidential or sensitive information:

(a) All paper documents containing confidential or sensitive information that need to be disposed of must be incinerated or shredded using the cross-cut method (.04" x .2" wide or smaller strips). If shredding deviates from the stated specification, the document must be safeguarded until it reaches the state where it is rendered unreadable through additional means, such as burning or pulping, with 100% accuracy and verification that all documents are destroyed and completely unrecoverable.

(b) All other media must be sanitized or disposed of in accordance with the below standards:

1. Magnetic Tape - Degaussed with a degausser or destroyed by shredding or incinerating.

2. Magnetic Disk (Zip disks, Jazz Disks, and Floppy Disks) - Destroyed by shredding or incinerating.

3. Hard Drives - Degaussed with a degausser, overwritten with a hard drive-wiping program, or destroyed by shredding or incinerating. All computer hard drives MUST be wiped when returning to stock to ensure that the old data is erased.

4. Optical Disks (CDs, DVDs, CDRs, CDRWs, DVDRs, DVDRWs) - Destroyed by shredding or incinerating.

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