



## INSTRUCTIONS FOR ORDERING NEW JERSEY DRIVER LICENSE ABSTRACT

- ◆ **ABSTRACT AUTHORIZATION FORM** – Individual or employee must sign to authorize your dealership to obtain a Driver License Abstract. Retain for your records. *Do not send the Abstract Authorization Form to NJ CAR Title Services.*
- ◆ **SUMMARY OF THE FAIR CREDIT REPORTING ACT** – Dealership must provide copy to each individual or employee that requires an Abstract.
- ◆ **ABSTRACT REQUEST FORM** – Complete, sign and submit the form to NJ CAR Title Services, along with a clear copy of the individual's driver license.

**AUTHORIZATION FOR DEALERSHIP TO OBTAIN  
NEW JERSEY DRIVER LICENSE ABSTRACT(S)  
AND  
DISCLOSURE REGARDING CONSUMER AND/OR INVESTIGATIVE REPORT**

NAME OF DEALERSHIP: \_\_\_\_\_

The above stated Dealership (*hereinafter "Dealership"*) may, with your written consent, obtain a Driver License Abstract (*DLA*) report from a third party reporting agency, containing information about your driving record based on the records of the New Jersey Motor Vehicle Commission. Under the provisions of the Fair Credit Reporting Act (*FCRA*), this *DLA* is considered a "consumer report" and/or an "investigative consumer report."

You have the right, upon written request made within a reasonable period of time after receipt of this notice, to request a copy of your *DLA*. The scope of this notice and authorization allows Dealership to obtain a report of your driving record now and throughout the course of your employment (*if you are employed by the Dealership*) to the extent permitted by law, unless you otherwise revoke your consent by providing written notification to Dealership.

The Driver License Abstract(s) will be obtained from: NJ CAR Title Services, 770 River Road, Trenton, NJ 08628, 609-883-6630.

**ACKNOWLEDGMENT AND AUTHORIZATION FOR DRIVER LICENSE ABSTRACT(S)**

I hereby authorize Dealership to obtain a Driver License Abstract(s) report on me. I have read and understand the above statement and hereby give my express permission for Dealership to obtain a copy of my Driver License Abstract. I acknowledge that Dealership has provided me with a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act."

PRINT NAME \_\_\_\_\_

DRIVER LICENSE NUMBER \_\_\_\_\_ STATE \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**RETAIN THIS FORM IN DEALERSHIP FILE.**

## **SUMMARY OF THE FAIR CREDIT REPORTING ACT REQUIREMENTS GOVERNING EMPLOYEE BACKGROUND CHECKS AND DRIVER'S LICENSE RECORDS**

Automotive retailers frequently obtain criminal background records or driver's license records on their employees for various legitimate business reasons. Federal rules (*such as the Safeguards Rule*) require a certain degree of due diligence in hiring employees who will have access to finance documents and customer information; and an employer's insurance premiums will depend on the driving records of employees who will be driving a company vehicle. It is important to remember that whenever investigative reports of this nature are obtained from a third-party provider, they are considered "consumer reports," just like credit reports, under the Fair Credit Reporting Act (*FCRA*). And the FCRA sets forth special rules and procedures, which employers must follow when "consumer reports" are to be used in an employment setting.

This is a brief summary of what the FCRA requires when an employer uses a "consumer report" in making a decision, which will affect an individual or employee.

- ◆ FCRA is triggered when an employer uses a third-party service to obtain or compile information, such as criminal convictions or driver's license records. It does not apply when the employer obtains the information itself, directly from government record keepers, but this is often a lengthy and impractical process, so it is common to use a third-party service to obtain the information.
- ◆ Before obtaining a report on an individual or employee, the employer must notify the individual or employee in writing that they intend to do so, and that the information will be used in making employment decisions. This must be a separate document, not a provision in an employment manual, for example.
- ◆ The employer must obtain written authorization from the individual or employee, consenting to the release of the information to the employer. The form used to document consent may be combined with the notice to the individual or employee of the intent to obtain a report.
- ◆ The employer must certify to the agency providing the report that the employer has complied with all of the requirements of the FCRA. This includes:
  - That the employer will use the information for employment purposes only.
  - That the employer will not use the information in violation of any federal or state equal opportunity law.
  - That the employer will obtain all the necessary disclosures and consent/release forms.
  - That the employer will give the appropriate notices in the event that an adverse action is taken against an individual or employee based in whole, or in part, on the contents of the consumer report.

**PROVIDE COPY TO INDIVIDUAL OR EMPLOYEE.**

In the event the employer is going to take “adverse action” against an individual or employee based on information in the report, the employer must take further steps. “Adverse action” would include a refusal to hire an individual, or a decision not to promote a current employee, or any decision adversely affecting an employee’s pay or job duties. If an employer will be taking adverse action based on a consumer report, the employer must take the following steps prior to the adverse action:

- ◆ Provide a copy of the report to the individual or employee.
- ◆ Provide the individual or employee with a copy of the Consumer Finance Protection Bureau’s Summary of Rights.
- ◆ Wait a reasonable time (*usually five business days*) before taking action, to allow the individual or employee an opportunity to challenge any inaccuracies in the report.

If the employer then determines to take adverse action against the individual or employee, the employer must provide notice of adverse action, which may be oral, but it is preferable to do so using a written “adverse action notice.” This notice should include:

- ◆ The fact that adverse action has been taken.
- ◆ The contact information of the CRA providing the information to the employer.
- ◆ A statement that the CRA did not make the adverse action decision and cannot explain the decision.
- ◆ The right of the subject of the report to obtain a free copy of the report from the CRA within 60 days.
- ◆ The right of the individual or employee to dispute with the CRA the accuracy and/or completeness of the report.

The CFPB has published a Notice to Users of Consumer Reports, which sets forth all of an employer’s obligations under the FCRA, and a model Notice of Consumer Rights, both of which can be found in the Federal Register as appendix N and appendix K at this site: <http://www.gpo.gov/fdsys/pkg/FR-2012-11-14/pdf/2012-27581.pdf>.



NEW JERSEY DRIVER LICENSE ABSTRACT REQUEST

I, \_\_\_\_\_ request a New Jersey Driver License Abstract for \_\_\_\_\_

\_\_\_\_\_ (NEW JERSEY DRIVER LICENSE NUMBER) for the following purpose:

- [ ] Employment [ ] Dealership's Insurance [ ] Other

The information received in response to this request will not be accumulated, stored or used to build a file, with the exception of files used for personnel and Dealership insurance purposes.

In accordance with the requirements of the Fair Credit Reporting Act, Dealership certifies as follows:

- Dealership has notified Individual of its intention to obtain this report and has obtained their written permission;
Dealership has provided Individual with a Notice of Consumer Rights as required under the Fair Credit Reporting Act, and will provide further Notice as required under the Act prior to taking any adverse action against them;
Dealership has complied with all of the requirements of the Fair Credit Reporting Act in connection with obtaining this Report; and
Dealership will not use this Report to unlawfully discriminate against Individual, or otherwise misuse the information in this Report in violation of any applicable federal or State Equal Employment Opportunity laws or regulations.

NJ CAR Title Services' policy is to mail New Jersey Driver License Abstracts to the Dealership requesting the abstract, unless a "secure" fax number or "secure" email address is provided. Check one of the following:

- [ ] Please mail the requested Driver License Abstract(s) to the Dealership address.
[ ] Please fax the requested Driver License Abstract(s) to the following "secure" fax number: ( ) - .
[ ] Please email the requested Driver License Abstract(s) to the following "secure" email address: \_\_\_\_\_

\_\_\_\_\_  
(SIGNATURE OF REQUESTOR) (PRINT NAME OF REQUESTOR)
\_\_\_\_\_  
(DEALERSHIP NAME & ADDRESS)
\_\_\_\_\_  
(PHONE NUMBER) (DATE)

This document may be faxed to 609.883.6683, or mailed to NJ CAR at the following address:

ATTN: TITLE SERVICES/DRIVER LICENSE ABSTRACT
NJ CAR Motor Vehicle Operation
770 River Road, Trenton, NJ 08628