

**Amend Section 1653.5 of the Vehicle Code to allow the Board to access the social security number data maintained by the Department of Motor Vehicles.**

**Source: Sales and Use Tax Department**

Under existing law, the Department of Motor Vehicles (DMV) maintains a database of social security numbers for the purposes of the administration of their programs. Under existing law, the Franchise Tax Board (FTB) has access to the DMV's database. However, current law does not grant the Board of Equalization (Board) that same access.

This proposal would enable the Board to obtain social security number information from the DMV for the purpose of tax administration. Social security numbers are a valuable tool used by Board compliance staff in identifying debtors, locating assets, and recognizing applications for permits that are fraudulent.

Currently the Board tries to locate a tax debtor's social security number by searching FTB's data. Once a social security number is obtained, it can also be used to help locate assets by searching Employment Development Department records for wages or Internal Revenue Service (IRS) third party reporting data for interest, dividends, royalties, out of state income, etc. of the tax debtor.

A social security number is also useful for skip tracing efforts. If the Board has a social security number for the tax debtor, the Board can obtain IRS and FTB address history. A social security number search of FTB records also helps determine that a tax debtor is really who he or she claims to be. This is one method to determine whether or not an application has been fraudulently prepared.

If all tax debtors resided in California and filed FTB returns, then the need to access DMV's data would be reduced. Unfortunately, many tax debtors no longer reside in California nor do all tax debtors file FTB returns.

By providing the Board access to DMV's social security number data, staff would have an alternate and more complete database for finding a person's social security number. The result should be more tax debtors and assets being located, which should increase program compliance and reduce the number of fraudulently prepared applications being processed.

*Section 1653.5 of the Vehicle Code is amended to read:*

1653.5. (a) Every form prescribed by the department for use by an applicant for the issuance or renewal by the department of a driver's license or identification card pursuant to Division 6 (commencing with Section 12500) shall contain a section for the applicant's social security account number.

(b) Every form prescribed by the department for use by an applicant for the issuance, renewal, or transfer of the registration or certificate of title to a vehicle shall contain a section for the applicant's driver's license or identification card number.

(c) Any person who submits to the department a form that, pursuant to subdivision (a), contains a section for the applicant's social security account number, or pursuant to subdivision (b), the applicant's driver's license or identification card number, if any, shall furnish the appropriate number in the space provided.

(d) The department shall not complete any application that does not include the applicant's social security account number or driver's license or identification card number as required by subdivision (c).

(e) An applicant's social security account number shall not be included by the department on any driver's license, identification card, registration, certificate of title, or any other document issued by the department.

(f) Notwithstanding any other provision of law, information regarding an applicant's social security account number, obtained by the department pursuant to this section, is not a public record and shall not be disclosed by the department except for any of the following purposes:

(1) Responding to a request for information from an agency operating pursuant to, and carrying out the provisions of, Part A (Aid to Families with Dependent Children), or Part D (Child Support and Establishment of Paternity), of Subchapter IV of Chapter 7 of Title 42 of the United States Code.

(2) Implementation of Section 12419.10 of the Government Code.

(3) Responding to information requests from the Franchise Tax Board for the purpose of tax administration.

(4) Responding to information requests from the Board of Equalization for the purpose of tax administration.