



COMMONWEALTH of VIRGINIA

Office of the Governor

P.O. Box 1475
Richmond, Virginia 23218

(804) 786-8032
Fax: (804) 786-6683
TTY: (800) 828-1120

Pierce R. Homer
Secretary of Transportation

June 20, 2007

Mr. David A. Carmichael
1748 Old Buckroe Road
Hampton, Virginia 23664-1620

Dear Mr. Carmichael:

Governor Kaine has asked me to thank you for and respond to your most recent letter requesting the Department of Motor Vehicles (DMV) to remove the social security numbers (SSN) from you and your wife's driving records and to allow your children to apply for drivers licenses without presenting proof of their Social Security Numbers.

In regards to your request that the DMV remove the Social Security Number from both your record and your wife's, I must reiterate DMV's response to your September 2004 request for the same. DMV is required to collect Social Security Numbers for driver's licenses, learner's permits, commercial driver's licenses, and voter registrations. It is directed to do so by Section 46.2-323 and 46.2-341.2 of the *Code of Virginia* and Article II, Section 2 of the *Virginia Constitution*. As a result, DMV does not have the authority to remove this information from your DMV records unless each of you are able to provide a statement from the Social Security Administration or a court order stating that the Social Security Number does not belong to you, nor has ever been associated with you.

Your second request was that your children be permitted to apply for driver's licenses without submitting their Social Security Numbers. Again, DMV is bound by the laws that govern the requirements for application for driver's licenses. These laws do not provide DMV or its Commissioner with the authority to waive the requirement that an applicant for a driver's license provide their Social Security Number at the time of application.

While Virginia law requires that the DMV collect Social Security Numbers at the time of application, the law also prohibits them from issuing a driver's license that displays that number. Any driver's license or learner's permit obtained will display a DMV-issued customer number.

I regret that I cannot provide a more favorable response but hope that you find this information helpful. Again, thank you for writing Governor Kaine.

Sincerely,

A handwritten signature in cursive script that reads "Pierce R. Homer".

Pierce R. Homer

PRH:es

Copy: Mr. D. B. Smit, DMV Commissioner