Audit of

Driver and Vehicle Information Database (DAVID)

Report No. 2024-001

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Name	Title
Ms. Damaris Rivera	Courts Director

DIVISION OF INSPECTOR GENERAL
Grant Maloy, Clerk of the Circuit Court and Comptroller
Seminole County, Florida

August 28, 2024

To: The Honorable Grant Maloy, Clerk of the Circuit Court and Comptroller

At the request of management, the Division of Inspector General conducted an audit of the Seminole County Clerk of the Circuit Court and Comptroller ("the Clerk") office's internal controls related to the use of the Driver and Vehicle Information Database (known as DAVID).

The objective of the review was to determine if the Clerk's office was in compliance with the terms and criteria stated in the Memorandum of Understanding ("MOU") between the Florida Department of Highway Safety and Motor Vehicles (FLHSMV) and the Clerk (HSMV-0395-18) dated January 9, 2018. The audit was concluded on November 17, 2023 and the Attestation Statement was submitted to FLHSMV on November 20, 2023.

We conducted the audit in accordance with standards that require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on or audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions on our audit objectives.

We appreciate the cooperation and assistance provided by Damaris Rivera, Courts Director, during the course of our audit.

Respectfully submitted,

Randall Nunley, CIG, CPA, CIA, CGAP, CRMA, CGMA
Inspector General
Division of the Inspector General

Approved by:

Honorable Grant Maloy
Clerk of the Circuit Court and Comptroller
Seminole County

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GRANT MALOY
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

Randall Nunley, CIG, CPA, CIA, CGAP, CRMA, CGMA
Inspector General

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Executive Summary

On June 1, 2018, the Office of the Seminole County Clerk of the Circuit Court and Comptroller entered into a Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (FLHSMV) . The information stored in the Driver and Vehicle Information Database (DAVID) system is subject to the Driver's Privacy Protection Act (DPPA) and Florida Statute Section 119.0712(2).

The objective of the audit was to determine if the Clerk's internal administrative controls are designed to protect personal data accessed through the DAVID. Also, to determine compliance with the terms and conditions of the MOU.

The internal administrative controls over access to DAVID are adequate and in compliance with the MOU. Also, we tested and reviewed all of the employee access reports and verified that the inquiry dates and times were within normal business hours and reference was made that the inquiry was related to a specific court related function. We also verified that there were no inquiries being made on self, relatives, celebrity, or political figures.

Background

The Drivers and Vehicle Information Database (DAVID) is a database that is maintained by the Florida Department of Highway Safety and Motor Vehicles (FLHSMV). It contains all of the driver's license and motor vehicle information.

The Clerk's Office signed a Memorandum of Understanding (MOU) with the FLHSMV on January 9, 2018. This authorizes just a few Clerk employees to use DAVID for Clerk of Court official business.

Under the agreement, the Point of Contact (POC) for the Clerk's Office is the Courts Director. The POC assigns access to only a few employees who are in positions that require specific information from the database. In addition, a key internal control is that the POC monitors on a Quarterly basis for any unauthorized access and uses of the database; and completes a Quarterly Audit Report.

Copies of access report listings for each of the employees have been provided to the Division of Inspector General for our audit for possible misuse. The report listings were for the period October 1, 2022 through September 30, 2023.

Scope, Objectives, and Methodology

The scope of the audit was specifically to analyze report of employees queries to determine if DAVID information was obtained for a legitimate court related purpose. We reviewed the activity for all of the authorized users from October 1, 2022 through September 30, 2023.

The objective of the audit was to determine if the Clerk's internal administrative controls are designed to protect personal data accessed through the DAVID. Also, to determine compliance with the terms and conditions of the MOU.

We audited for the following requirements:

- Internal administrative controls limit access to specific uses;
- Inquiry dates and times are within normal business hours;
- Reference is made to document that inquiry is related to a specific court related function;
- No inquiries are being made on self, relatives, celebrity, or political figures; and,
- Access inquiries are being monitored by the POC.

Overall Evaluation

The internal administrative controls over access to DAVID are adequate and in compliance with the MOU. Also, we tested and reviewed all of the employee access reports and verified that the inquiry dates and times were within normal business hours and reference was made that the inquiry was related to a specific court related function. We also verified that there were no inquiries being made on self, relatives, celebrity, or political figures.

As an additional internal control, access to DAVID are being audited each quarter by the POC to provide added assurance that all inquiries into the system are for Clerk of Court official business. Only those employees that require specific court related matters have been authorized access by the POC. Our audit found that the Clerk's Office has adequate internal policies and procedures to protect personal data provided by the FLHSMV and there are sufficient safekeeping controls over the distribution, use, modification, and disclosure of FLHSMV data.