

Putting Personal Information on Parking Ticket on Window Is OK

Writing a person's personal information on a parking ticket and leaving it face down on the vehicle's windshield does not run afoul of the federal Driver's Privacy Protection Act.

Jason Senne parked his car on a village street in Palatine, Illinois. The Village prohibits parking between 1 a.m. and 6 a.m. on its streets. Senne was ticketed. The ticket included his name, date of birth, sex, height, weight, driver's license number, and address. The ticket was placed on the car's windshield with the information facing down. He sued, arguing the information was protected from disclosure because it was not used for law enforcement.

Under the Act, a state is prohibited from making available personal information unless the disclosure falls under one of 14 exceptions, including law enforcement. The law was passed after a highly publicized case where driver's license information was used by a stalker who killed his victim.

The Seventh Circuit opinion said, "[P]ersonal information on a parking ticket placed face down under the windshield wiper on the driver's side does not facilitate stalking." The court said there was no evidence "that anyone has ever taken a parking ticket face down under the driver's windshield wiper in Palatine and turned it over and read any of the personal information on the ticket" to stalk anyone.

Instead, the appellate court noted, the information on the tickets is a "permissible use" because "such information on a parking ticket increases the likelihood that the ticket will be paid, because the driver or owner knows that the police know his identity and address and will therefore have no difficulty locating him."

The appellate court agreed that there needs to be a balance between disclosing personal information and enforcing a parking ticket, but it found that including the personal information on a ticket was not an offensive invasion of privacy. "Had the Village been making the information on parking tickets publicly available over the Internet, or had it placed on the tickets highly sensitive information such as the owner's social security number, the risk of a nontrivial invasion of privacy from the disclosure would be much greater and probably outweigh the benefits to law enforcement. The Village has never done that," the opinion concludes.

Senne v. Village of Palatine, Illinois, Seventh Cir. No. 13-3671, issued April 28, 2015.

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