

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

OFFICE OF FINANCIAL AND INSURANCE SERVICES

DEFERRED PRESENTMENT STATEWIDE DATABASE

(By authority conferred on the commissioner of the Office of Financial and Insurance Services by sections 20, 22, and 51 of 2005 PA 244, 1969 PA 306, E.R.O. No 2000-2 and E.R.O. No 2003-1; MCL 487.2140, MCL 487.2142, MCL 487.2171, MCL 24.231 to MCL 24.233, MCL 445.2003, and MCL 445.2011)

R 487.2121 Definitions.

Rule 1. As used in these rules:

(a) "Act" means the Deferred Presentment Service Transactions Act, 2005 PA 244, MCL 487.2121 to MCL 487.2173.

(b) "Archive" means to copy data to a long-term storage mechanism apart from the database.

(c) "Commissioner" means the commissioner of the office of financial and insurance services.

(d) "Customer transaction data" means all data reported to the database pertinent to a particular customer transaction, including the date of the transaction, identification of the licensee and location, the sum of money involved, the time payment is deferred, fees charged, any alleged violations of the Act, and any identifying customer information.

(e) "Database" means the database described specifically in Section 22 of the act.

(g) "Delete" means to erase data by overwriting the data.

(h) "Identifying customer information" means the name of the customer, his or her Social Security number, driver license number, or other state-issued identification number, address, any account numbers or information specific to a check or draft drawn by a customer on a bank, savings bank, savings and loan association, or credit union, and any other nonpublic, personal financial information of a customer entered into the database or that comes into the possession of the database provider through customer or licensee inquiry or report.

(i) Other terms defined in the act have the same meanings when used in these rules.

History: 2007 AACCS.

R 487.2122 Data retention; archiving; deletion.

Rule 2. The database provider shall do all of the following:

(a) Retain data in the database only as required to ensure licensee compliance with the act.

(b) Archive data in the database concerning a customer transaction within 365 days after the customer transaction is closed unless notified by the commissioner that such data is needed for a pending enforcement action.

- (c) Delete any identifying customer data from the database when data are archived.
- (d) Delete data concerning a customer transaction from the database 3 years after the customer transaction is closed or upon completion as determined by the Commissioner of any enforcement action pending 3 years after a customer transaction is closed, whichever is later.

History: 2007 AACs.

R 487.2123 Implementation.

Rule 3. For the purpose of implementing the archiving and deletion requirements of Section 22(3) of the act, MCL 487.2142(3) and R 487.2122, the database provider shall deem closed on July 31, 2006, the date the database became fully operational, all transactions closed during the database pilot program period described in Section 22(1) of the act, MCL 487.2142(1).

History: 2007 AACs.