



Audit of Office of Building Services - 2020 DAVID Usage

Inspector General Department Gary J. Cooney, Clerk of the Circuit Court & Comptroller Audit Report

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Inspector General Department

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Board of County Commissioners

The annual audit of internal controls over the Office of Building Services' access to the Driver and Vehicle Information Database (DAVID) of the Florida Department of Highway Safety and Motor vehicles is complete and no significant issues were identified. Opportunities for improvement are included in this report.

We appreciate the cooperation and assistance provided by the Office of Building Services during the course of this audit.

Respectfully submitted,

Terri W. Freeman
Inspector General

cc: Gary J. Cooney, Clerk of the Circuit Court & Comptroller
Denise Bell, Chief Deputy Clerk
Alan Rosen, County Manager
Brandon Matulka, Executive Director of Economic Growth
Tom Allen, Director, Office of Building Services

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Scope and Objective

The objective of the audit was to assess whether internal controls are sufficient to protect personal data obtained from the Florida Department of Highway Safety and Motor Vehicles' (FLHSMV) Driver and Vehicle Information Database (DAVID) from unauthorized access, distribution, use, modification, or disclosure.

The audit included discussions with management and staff, tests of records, and other auditing procedures necessary to determine whether requirements have been met as defined in the Memorandum of Understanding (MOU) between the FLHSMV and the Office of Building Services, from January 1, 2020, through December 31, 2020.

Overall Conclusion

The internal controls are well designed and largely function as intended.

A few opportunities for improvement are identified in this report.

Background

DAVID is a tool that law enforcement and criminal justice officials use to access current driver and vehicle information. The Office of Building Services uses DAVID to search for current contractor contact and licensing information and to inquire about abandoned property. To remain in compliance with the MOU, the use of DAVID and its data must be conducted in a professional manner and user activity reviews are to be conducted on a continuous basis. Incidents of misuse must be reported promptly to the FLHSMV.

Opportunities for Improvement

1. Search Component Could Not Be Validated

One of ten (10%) components tested in the driver and vehicle information database (DAVID) could not be verified to the case number provided by Building Services. The MOU, section V.A. states, "Information exchanged will not be used for any purposes not specifically authorized by this MOU. Unauthorized use includes, but is not limited to, queries not related to a legitimate business purpose,

personal use, or dissemination, sharing, copying, or passing of this information to unauthorized persons.”

If searches are not referenced to a case, there is a risk Building Services will not be able to prove the legitimate use of the system and the FLHSMV could cancel the agreement and deny their access to DAVID.

Agreed Upon Action Plan: Management will create a procedure for DAVID use, which will include the provision that all searches will be documented, refer to the code case involved, noted in CD-Plus and only be done for someone in the field under extreme circumstances.

Target Completion Date: Completed

2. Signing Authority of the Memorandum of Understanding

A delegation of authority was not authorized by the County Manager for Building Services management to sign the 2016 FLHSMV MOU. According to the FLHSMV, the signor for the County must be authorized to enter into contracts on behalf of the agency. Building Services management does not have the authority on its own to enter a contract on behalf of the BCC.

There is a risk that the MOU is a voidable contract.

Agreed Upon Action Plan: The newly appointed County Manager will sign the updated MOU and management will determine the County Manager’s preference as to who will sign subsequent DAVID statements. If applicable, a letter of delegation will be sent to FLHSMV.

Target Completion Date: Prior to the new updated MOU due date, March 7, 2022.

3. User Access to DAVID

One Building Services employee who has access to DAVID has not accessed the database since 8/31/2018. The MOU, section V.A. states, “Information exchanged will not be used for any purposes not specifically authorized by this MOU. Unauthorized use includes, but is not limited to, queries not related to a legitimate business purpose, personal use, or dissemination, sharing, copying, or passing of this information to unauthorized persons.”

There is a risk the employee, who apparently no longer has a business need for ongoing access, may access to the system for illegitimate purposes.

Agreed Upon Action Plan: Management will create a process that directs each DAVID user to log into the system at least once per year in order to take the annual DAVID exam and indicate that the user still needs access to the system.

Target Completion Date: Completed