

111 CMR 11.00: Release of Information to City or Town Assessor's Office

Section

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11.01: Purpose

The purpose of 111 CMR 11.00 is to establish a clear and orderly system, operated by the Massachusetts Commission for the Blind (MCB) for issuing a certified list of the Register to local city or town Assessors' offices as verification of eligibility for the property tax exemption pursuant to M.G.L. c. 59, § 5(37) and (37A), and the motor vehicle excise tax exemption M.G.L. c. 60A, § 1. The certified list will include the names and addresses of individuals registered with MCB who are 18 years of age and older, which will be provided to the city or town Assessor's office where the individual resides to be used for the sole purpose of verifying a Registrant's Legal Blindness for these tax exemptions.

11.02: Definitions

Certified List of the Register. A list created by MCB of the names and addresses of individuals registered with MCB in accordance with M.G.L. c. 6, § 135, who are 18 years of age or older, to be used for the sole purpose of verifying a Registrant's Legal Blindness when a Registrant applies to their Local Assessor's Office for the local property tax exemptions under M.G.L. c. 59, § 5(37) and (37A) and local motor vehicle excise tax exemptions under M.G.L. c. 60A, § 1.

Commissioner. The Commissioner of the Massachusetts Commission for the Blind.

Legal Blindness. As defined in M.G.L. c. 6, § 136, a finding by a physician or optometrist that a person has a visual acuity of 20/200 or less with correction in the better eye or has a peripheral visual field of ten degrees radius or less regardless of visual acuity.

Local City or Town Assessor's Office. The office in a city or town of the Commonwealth responsible for assessing local, personal and real property taxes, processing tax exemptions, and other duties within the jurisdiction of that city or town. Hereinafter referred to as the Local Assessor's Office.

MCB. Massachusetts Commission for the Blind.

Personal Data. As defined by M.G.L. c. 66A, § 1, any information concerning an individual which, because of name,

identifying number, mark or description can be readily associated with an individual; provided, however, that such information is not contained in a public record as defined at M.G.L. c. 4, § 7, cl. 26, and shall not include intelligence information, evaluative information or criminal offender record information as defined at M.G.L. c. 6, § 167.

Personal Data System. As defined by M.G.L. c. 66A, § 1, a system of records containing personal data, which system is organized such that the data are retrievable by use of the identity of the data subject.

Register. The list of legally blind persons maintained by MCB pursuant to M.G.L. c. 6, §§ 135 and 136. The Register is comprised of Personal Data contained in MCB's Personal Data System.

Registrant. An individual included in MCB's Register of legally blind persons, maintained pursuant to M.G.L. c. 6, §§ 135 and 136.

### 11.03. Procedure

- (1) On an annual basis, or as necessary to satisfy the purpose of this regulation, MCB will send to each Local Assessor's Office in the Commonwealth a Certified List of the Register of only those Registrants residing in the specified city or town. MCB will provide the Certified List of the Register to the Local Assessor's Office for the exclusive purpose of verifying the legal blindness requirement pursuant to M.G.L. c. 59, § 5(37) and (37A) and M.G.L. c. 60A, § 1. The Commissioner of MCB may issue guidance setting forth the procedure for providing the Certified List of the Register to Local Assessors' Offices.
- (2) The Certified List of the Register will conspicuously state:
  - (a) The MCB Certified List of the Register can be used only by the Local Assessor's Office for the purpose of verifying the legal blindness requirement of M.G.L. c. 59, § 5(37) and (37A) and M.G.L. c. 60A, § 1;
  - (b) The Certified List of the Register is confidential and not a public record pursuant to M.G.L. c. 6, § 135; and
  - (c) The Certified List of the Register must be destroyed after its use in a manner that will ensure the confidentiality of the Registrant's information and is in accordance with M.G.L. c. 66A.
- (3) Any Registrant who notifies MCB in writing that they do not want their name and address sent to their Local Assessor's Office will not be included on the list. The Commissioner or the Commissioner's designee shall establish procedures enabling

each Registrant, or the Registrant's duly authorized representative, to provide written notice to MCB to omit the Registrant's name from the Certified List of the Register, add the Registrant's information back into the Certified List of the Register, or change the Registrant's name or address.

- (4) MCB shall not disclose information from its Register except as described in 111 CMR 11.00 or as otherwise permitted by law.

#### 11.04: Additional Provisions

- (1) The Commissioner or the Commissioner's designee shall:
- (a) Maintain a complete and accurate record of every transmission of a Certified List of the Register to a Local Assessor's Office; and,
  - (b) Upon a Registrant's request, MCB shall provide the Registrant with the name of the Local Assessor's Office that received a Certified List of the Register including the Registrant's name, the date MCB sent such list to the Local Assessor's Office and the Registrant's name and address as appearing on the list sent to the Local Assessor's Office.

#### REGULATORY AUTHORITY

111 CMR 11.00: M.G.L. c. 6, §§ 131J, 135, 136, 149; and M.G.L. c. 66A.