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NEWS FOR IMMEDIATE RELEASE

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Wisconsin Department of Justice Sues Trump Administration and Secures Order Blocking Unlawful Demands for Personal Information of CDL Drivers

*Administration Threatens to Withhold \$10 Million in Federal Funding Unless
Sensitive Information of Millions of Drivers Turned Over*

MADISON, Wis. — The Wisconsin Department of Justice (DOJ) has joined a coalition in filing two lawsuits against the Trump administration for demanding production of a database of state-owned records containing the sensitive personal information of 17 million Commercial Driver's License (CDL) drivers — including nearly 300,000 Wisconsin commercial drivers — and threatening to terminate more than \$10 million in federal funding to the American Association of Motor Vehicle Administrators (AAMVA) if it refuses. Friday morning, a federal judge issued an administrative stay blocking the demands.

The coalition filed a [lawsuit](#) against the U.S. Department of Transportation (DOT) and the Federal Motor Carrier Safety Administration (FMCSA), which is an administration of the DOT and AAMVA, as well as an additional related lawsuit against the Department of Homeland Security (DHS). The lawsuits claim the DOT, FMCSA, and DHS are violating multiple federal privacy laws by secretly setting up their own database with records extorted from AAMVA, with no guardrails on the use or sharing of drivers' Social Security numbers and other personal information, and no notice to the public. The lawsuit also alleges that the demand violates the Administrative Procedure Act because the federal government has no legitimate need to take over this database of state records, and it failed to consult the states before making this drastic change.

“The federal government shouldn’t be combing through people’s sensitive personal information without good reason,” said AG Kaul. “The Trump administration should respect privacy protections.”

In 1986, Congress established the Commercial Driver’s License Information System (CDLIS) to provide states an efficient means of sharing information about commercial driver’s license (CDL) applicants and determining if the applicant is licensed in another state. Since 1988, the DOT has contracted with AAMVA, a private nonprofit organization, to operate CDLIS for the benefit of the states.

To approve a CDL application, the coalition explains in the lawsuits, states validate the driver’s identity, medical fitness, immigration status and each applicant’s licensing and driving history in any state where the driver could have been licensed. This important public safety work is the responsibility of the states, not the federal government. Once a license is issued, states maintain a record in CDLIS of each driver that includes personally identifiable information such as the driver’s name, date of birth, Social Security number, driver’s license number and the name of the state that provided the record.

The Wisconsin Department of Transportation Division of Motor Vehicles (WisDOT – DMV) usually queries CDLIS thousands of times per day. Without an effective, functioning, and up-to-date CDLIS, WisDOT – DMV would not be able to issue new CDLs and DLs or renew existing ones in compliance with federal and state laws and regulations. This would result in WisDOT – DMV not being able to license drivers and notify other states of driver convictions, license withdrawals, and other driver incidents. In Wisconsin, it would negatively impact over 700,000 driver license transactions annually, as well as hundreds of CDL training schools and testing companies, and have a devastating impact on freight movement and the economy. And even if those laws and regulations did not apply, Wisconsin would be harmed by losing access to an important public safety resource that keeps unsafe drivers off Wisconsin’s roads.

Despite the states owning the personal data stored in CDLIS, FMCSA sent a letter to AAMVA, making the unprecedented demand that AAMVA turn over data for every driver in CDLIS going back five years. When AAMVA voiced its concerns about the new directive, FMCSA made an explicit threat to terminate all of AAMVA’s federal grants and contracts. Faced with that threat, which could shut down CDLIS altogether, AAMVA told the states it would comply with the federal government’s demand, requiring the coalition to seek an emergency order to prevent the data from being turned over.

Wisconsin DOJ has joined several legal challenges against the Trump administration's attempts to unlawfully use Americans' personal data for undisclosed purposes, including Medicaid and Department of Treasury data, and personal information associated with the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance for Needy Families (TANF) program. Wisconsin DOJ has also successfully defended against the Trump administration's attempt to obtain Wisconsin's unredacted voter registration list.

Relatedly, the Department of Homeland Security sent an administrative subpoena to AAMVA demanding the same data set.

Joining Wisconsin DOJ in filing these lawsuits are attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Nevada, New Jersey, New Mexico, New York, Oregon, Vermont, Virginia, and Washington, as well as the state of Pennsylvania.