

CHAPTER 625
DRIVER'S LICENSES FOR UNDERCOVER
LAW ENFORCEMENT OFFICERS

761—625.1(321) Purpose. This chapter addresses the issuance of undercover driver's licenses.

761—625.2(321) Application.

625.2(1) The application for an undercover driver's license must:

- a. Be in writing.
- b. Include a fictitious name as well as the applicant's true identity.
- c. Include a statement of need.
- d. Be signed by both the applicant and the head of the law enforcement agency employing the applicant.
- e. Be submitted to the Bureau of Investigation and Identity Protection, Iowa Department of Transportation, 6310 SE Convenience Blvd., Ankeny, Iowa 50021.

625.2(2) All applications shall be investigated by the department. An investigation shall include, but not be limited to, a 50-state check of the fictitious name and verification of the applicant's employment with the sponsoring law enforcement agency.

625.2(3) The department shall determine if the undercover license is necessary.

625.2(4) The department shall approve or deny the application, based on the results of the investigation and the determination of necessity.

625.2(5) An applicant employed by a state or local law enforcement agency that is located in a state other than Iowa is not eligible for an undercover driver's license issued under this chapter.

[ARC 4002C, IAB 9/12/18, effective 10/17/18; ARC 6846C, IAB 2/8/23, effective 3/15/23]

761—625.3(321) Issuance.

625.3(1) To obtain an undercover license after the application is approved, the applicant must appear at the Motor Vehicle Division offices, Iowa Department of Transportation, 6310 SE Convenience Blvd., Ankeny, Iowa, with all applicable documents necessary for the issuance of an undercover license.

625.3(2) The license will be issued with an applicable expiration date as provided in Iowa Code section 321.196. The applicant must pay all fees and meet all requirements for the class of license applied for, except that rule 761—601.5(321) is waived in accordance with the provisions in 6 CFR 37.11.

625.3(3) An undercover license may not be renewed. The department may issue a subsequent new undercover license to an applicant who submits a new application and continues to meet the requirements of rule 761—625.2(321).

[ARC 0347C, IAB 10/3/12, effective 11/7/12; ARC 4002C, IAB 9/12/18, effective 10/17/18; ARC 5205C, IAB 10/7/20, effective 11/11/20]

761—625.4(321) Renewal not permitted. Rescinded ARC 4002C, IAB 9/12/18, effective 10/17/18.

761—625.5(321) Cancellation. When the need for an undercover license no longer exists or if the licensee ceases to be employed by the sponsoring law enforcement agency, the licensee shall surrender the undercover license to the bureau of investigation and identity protection for cancellation.

[ARC 6846C, IAB 2/8/23, effective 3/15/23]

761—625.6(321) Records.

625.6(1) Applications, forms and other records of the department that establish the true identity of an applicant or licensee under this chapter are confidential public records under Iowa Code sections 22.7, 80G.3 and 321.189A. The fictitious license information itself is not confidential, except as provided in Iowa Code section 321.11.

625.6(2) The open public records of the department shall contain no information or indicator that would distinguish any undercover license issued under this chapter from any other driver's license issued by the department.

625.6(3) An undercover license issued under this chapter will appear on the driver's license record system.

[ARC 4002C, IAB 9/12/18, effective 10/17/18]

These rules are intended to implement Iowa Code sections 22.7, 80G.3, 321.189, 321.189A and 321.196 and 6 CFR Part 37.

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