
LEGAL UPDATE

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IOWA SUPREME COURT DECISION — DISPLAY OF REGISTRATION PLATES

Purpose. *Legal updates are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update is intended to provide legislators, legislative staff, and other persons interested in legislative matters with summaries of recent meetings, court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although an update may identify issues for consideration by the General Assembly, it should not be interpreted as advocating any particular course of action.*

State v. Griffin
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www.iowacourts.gov/courtcases/18028/embed/SupremeCourtOpinion

Factual and Procedural Background. Chase Robert Griffin (Griffin) was stopped by Iowa State Patrol troopers (troopers) who had trouble viewing the rear registration plate attached to Griffin's motor vehicle. One trooper was unable to view a registration plate of any type while traveling on the highway and approaching Griffin's moving vehicle from behind. After closing the distance to within one to two car lengths, the troopers identified a rear registration plate attached to the vehicle, but the numerals and letters were difficult to read at that distance. Even after both vehicles came to a stop, it was still difficult for the troopers to read the numerals and letters on the plate. The registration plate was shrouded with a tinted plastic cover. One trooper was able to clearly read the rear registration plate once he walked up to Griffin's vehicle.

Iowa Code section 321.37 requires registration plates issued for most motor vehicles to be attached to the vehicle, one in the front and the other in the rear. The section further prohibits the owner of a vehicle from placing any frame around or over the registration plate which does not permit full view of all numerals and letters printed on the registration plate.

The troopers initially planned to issue Griffin a warning for the registration plate cover. However, after interacting with Griffin, the troopers smelled alcohol and Griffin was subsequently charged with operating while intoxicated and two counts of child endangerment as two children were passengers in the vehicle.

Before the trial, Griffin moved to suppress the evidence gained after the stop. Griffin asserted the stop was unconstitutional because the display of the rear registration plate did not violate Iowa Code. The district court agreed with Griffin and suppressed the evidence. The state appealed the court's ruling.

Issue. Whether a tinted registration plate cover is unlawful, under Iowa Code section 321.37, when the cover does not permit full view of all numerals and letters printed on the plate at certain distances and speeds, even if the cover permits full view of all numerals and letters at reduced distances and speeds.

Holding. In a unanimous decision, the Iowa Supreme Court (Court) held that Griffin's registration plate cover violated Iowa Code section 321.37 because it made the plate difficult to read when the troopers were traveling closely behind Griffin's vehicle, and that the violation occurred when the troopers were traveling closely behind Griffin at highway speed.

Analysis. The Court distinguished Griffin's case from *State v. Tyler*, 830 N.W.2d 288. In *Tyler*, the arresting officer stopped a motorist operating a motor vehicle with a registration plate cover, but the officer mistakenly believed all

tinted plate covers automatically violate Iowa law. The *Tyler* Court rejected a categorical approach and clarified that Iowa Code section 321.37 does not proscribe tinted registration plate covers.

The Court rejected Griffin's claim that the holding in *Tyler* means a tinted registration plate cover cannot violate Iowa Code section 321.37. The Court reasoned that Iowa Code section 321.37 proscribes only a frame or cover 'which does not permit full view of all numerals and letters printed on the registration plate' and that Griffin's cover did not permit full view of the plate for the troopers, so Griffin's cover violated Iowa Code section 321.37.

Griffin argued, as in *Tyler*, that the troopers only stopped Griffin because the troopers mistakenly believed every tinted registration plate cover is unlawful. However, the Court rejected this factual claim. Instead, the Court found the record indicated that the troopers correctly mentioned the tinted nature of Griffin's registration plate cover as the reason for the stop, but neither trooper suggested that the tinting alone *automatically* violates Iowa law (emphasis added). Instead, the troopers properly focused on the fact that the tinting made the registration plate difficult to read.

The Court reiterated that under the Iowa Constitution, "a mistake of law is *not sufficient* to justify a stop." *Id.* (emphasis added). The Court also clarified that an otherwise justified stop does not lose its justification simply because an officer misunderstands or mischaracterizes the scope or meaning of a statute. The Court held the stop was still justified even if, as Griffin suggests, the troopers' explanations of the law were incomplete or erroneous.

At the suppression hearing, Griffin submitted a photograph showing his vehicle's registration plate clearly despite the tinted cover over the plate. However, that photograph was taken three days after Griffin was stopped and the vehicle was parked on a residential driveway in full light. The Court reasoned that the photograph does not show what Griffin's vehicle looked like at the time it was driven in the evening at highway speeds on a shadow-shrouded road when the troopers stopped Griffin. The Court refused to allow the photograph to impel its analysis.

Griffin argued that because the troopers could read the registration plate after the vehicle was stopped, the troopers unconstitutionally extended the stop by approaching the driver side door. Griffin contends the troopers' justification for the stop ended once the numerals and letters printed on the registration plate were readable. The Court disagreed and ruled the violation occurred when the troopers were traveling closely behind Griffin at highway speed. The troopers were justified in approaching the driver of a stopped vehicle that had a tinted cover over the registration plate, and the troopers could have issued a citation or warning for such violation.

The Court reversed the district court's order suppressing the evidence gained after the stop and remanded the case for further proceedings.

Note on Iowa Law. Although Iowa Code section 321.37 does not specify a distance at which all numerals and letters printed on a registration plate must be in full view, Iowa Code section 321.166(4) requires registration plate numbers to be of sufficient size to be readable from a distance of 100 feet during daylight.

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