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SENATE FILE 106

BY BOLKCOM, DOTZLER, and HATCH

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to collecting and disseminating information  
 2 concerning motor vehicle stops.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 106  
 TRANSPORTATION

1 Section 1. Section 80.9, subsection 2, Code 2003, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. k. To collect and disseminate data about  
4 motor vehicle stops pursuant to section 80.40.

5 Sec. 2. NEW SECTION. 80.40 DATA COLLECTION.

6 1. The department of public safety shall establish a  
7 central repository for the collection and dissemination of  
8 data and information pertaining to motor vehicles stopped by  
9 departmental personnel and local law enforcement agencies for  
10 alleged traffic violations. The department and local law  
11 enforcement agencies shall furnish data to the central  
12 repository about each motor vehicle stop. The individual data  
13 of the driver to be collected shall include, but is not  
14 limited to, the driver's race or ethnicity, age, and gender.  
15 The individual data of the driver shall be obtained from the  
16 driver's license or based upon the perceptions of the peace  
17 officer responsible for collecting the data. However, the  
18 peace officer shall not be required to question the driver  
19 about the driver's individual data. The data shall include  
20 the name of the peace officer who stopped the vehicle, whether  
21 a search of the vehicle was conducted, if the search was  
22 conducted with the consent of the driver or based on probable  
23 cause, and the type of any property seized. The data shall  
24 also include whether a citation was issued or an arrest was  
25 made, the type of citation issued or the basis for the arrest,  
26 and whether any injuries were sustained by the officer or any  
27 other person and the reason for such injuries.

28 2. A peace officer shall furnish a business card to the  
29 driver of any vehicle stopped. The card shall contain the  
30 name and telephone number of the law enforcement agency  
31 employing the officer, and the name of the officer.

32 3. The department shall adopt rules pursuant to chapter  
33 17A to administer this section.

34 4. The department shall submit an annual report to the  
35 general assembly by January 31 of each year based upon the

1 information collected from the department and local law  
2 enforcement agencies.

3 Sec. 3. Section 331.653, Code 2003, is amended by adding  
4 the following new subsection:

5 NEW SUBSECTION. 44. Furnish data to the department of  
6 public safety concerning motor vehicle stops pursuant to  
7 section 80.40.

8 Sec. 4. NEW SECTION. 364.22B DATA COLLECTION.

9 The chief of police shall furnish data to the department of  
10 public safety concerning motor vehicle stops pursuant to  
11 section 80.40.

12 Sec. 5. Section 690.1, Code 2003, is amended to read as  
13 follows:

14 690.1 CRIMINAL IDENTIFICATION AND MOTOR VEHICLE STOP DATA.

15 The commissioner of public safety may provide in the  
16 department a bureau of criminal identification. The  
17 commissioner may adopt rules for the same. The sheriff of  
18 each county and the chief of police of each city shall furnish  
19 to the department criminal identification records, motor  
20 vehicle stop data pursuant to section 80.40, and other  
21 information as directed by the commissioner of public safety.

22 Sec. 6. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
23 3, shall not apply to this Act.

24 EXPLANATION

25 This bill establishes a central repository in the  
26 department of public safety for the purpose of collecting and  
27 disseminating information about motor vehicle stops.

28 The bill provides that the department of public safety and  
29 local law enforcement agencies making a traffic stop shall  
30 collect information which shall include, but is not limited  
31 to, the driver's race or ethnicity, age, gender, whether a  
32 search of the vehicle was conducted with the consent of the  
33 driver or based on probable cause, and the type of any  
34 property seized. The data collected shall include whether a  
35 citation was issued or an arrest was made, the type of

1 citation issued or the basis for the arrest, whether any  
2 injuries were sustained by the officer or any other person,  
3 and the reason for such injuries. The data shall also include  
4 the name of the police officer making the stop. The bill  
5 provides that the information shall be collected from the  
6 driver's license or based upon the perceptions of the officer.  
7 The bill does not require an officer to question a driver  
8 about information collected pursuant to the bill. The bill  
9 does require that an officer furnish a business card to the  
10 driver, which contains the name and telephone number of the  
11 law enforcement agency employing the officer, and the name of  
12 the officer.

13 The bill may include a state mandate as defined in Code  
14 section 25B.3. The bill makes inapplicable Code section  
15 25B.2, subsection 3, which would relieve a political  
16 subdivision from complying with a state mandate if funding for  
17 the cost of the state mandate is not provided or specified.  
18 Therefore, political subdivisions are required to comply with  
19 any state mandate included in the bill.

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