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SENATE FILE 2267
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 2049)

(P469) Passed Senate, Date 3/2/98 Passed House, Date 3/23/98 (P853)
Vote: Ayes 48 Nays 0 Vote: Ayes 98 Nays 0
Approved April 1, 1998

A BILL FOR

1 An Act concerning the release of information by the department of
2 transportation to investigators in the department of
3 inspections and appeals.

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

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S.F. 2267

1 Section 1. Section 321.11, unnumbered paragraph 3, Code
2 Supplement 1997, is amended to read as follows:

3 Notwithstanding other provisions of this section to the
4 contrary, the department shall not release personal
5 information to a person, other than to an officer or employee
6 of a law enforcement agency, an employee or contract employee
7 of the department of inspections and appeals in the conduct of
8 an investigation, or a licensed private investigation agency
9 or a licensed security service or a licensed employee of
10 either, if the information is requested by the presentation of
11 a registration plate number. However, a law enforcement
12 agency may release the name, address, and telephone number of
13 a motor vehicle registrant to a person requesting the
14 information by the presentation of a registration plate number
15 if the law enforcement agency believes that the information is
16 necessary to prevent an unlawful act. A person seeking the
17 information shall state in writing the nature of the unlawful
18 act that the person is attempting to prevent.

19 EXPLANATION

20 This bill permits an employee or contract employee of the
21 department of inspections and appeals in the conduct of an
22 investigation to obtain personal information within the
23 control of the department of transportation based upon the
24 presentation of a registration plate number to the department
25 of transportation. Current law permits only law enforcement
26 agencies, licensed security services, and private
27 investigation agencies to obtain this information from the
28 department of transportation.

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SENATE FILE 2267

S-5063

- 1 Amend the amendment, S-5050, to Senate File 2267 as
2 follows:
3 1. Page 1, line 4, by inserting after the word
4 "subdivision" the following: "in the performance of
5 the employee's official duties".

By RICHARD F. DRAKE

S-5063 FILED FEBRUARY 26, 1998

Adopted 3/2/98
(P 469)

SENATE FILE 2267

S-5050

- 1 Amend Senate File 2267 as follows:
2 1. Page 1, line 6, by striking the word "or" and
3 inserting the following: "of a federal or state
4 agency or political subdivision, a".
5 2. Page 1, line 11, by striking the word
6 "However," and inserting the following: "However, In
7 addition, an officer or employee of".
8 3. Page 1, by striking lines 15 through 18 and
9 inserting the following: "if the officer or employee
10 of the law enforcement agency believes that the
11 release of the information is necessary to prevent an
12 unlawful act in the performance of the officer's or
13 employee's duties. A person seeking the information
14 shall state in writing the nature of the unlawful act
15 that the person is attempting to prevent."
16 4. Title page, by striking lines 2 and 3 and
17 inserting the following: "transportation to
18 governmental employees."

By RICHARD F. DRAKE

S-5050 FILED FEBRUARY 19, 1998

Adopted
3/2/98
(P 469)

*Substituted for
H.F. 2327 3/23/98
(p. 852)*

SENATE FILE 2267
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 2049)

(AS AMENDED AND PASSED BY THE SENATE MARCH 2, 1998)

~~_____~~ - New Language by the Senate

Passed Senate, Date _____ Passed House, Date 3/23/98 (p. 853)
Vote: Ayes _____ Nays _____ Vote: Ayes 98 Nays 0
Approved April 1, 1998

A BILL FOR

1 An Act concerning the release of information by the department of
2 transportation to governmental employees.

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S.F. 2267

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8 employee's official duties, a contract employee of the
9 department of inspections and appeals in the conduct of an
10 investigation, or a licensed private investigation agency or a
11 licensed security service or a licensed employee of either, if
12 the information is requested by the presentation of a
13 registration plate number. However, in addition, an officer
14 or employee of a law enforcement agency may release the name,
15 address, and telephone number of a motor vehicle registrant to
16 a person requesting the information by the presentation of a
17 registration plate number if the officer or employee of the
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20 performance of the officer's or employee's duties. A person
21 seeking the information shall state in writing the nature of
22 the unlawful act that the person is attempting to prevent,
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Drake
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SSB 2049
State Government

Succeeded By
SENATE/HOUSE FILE SF/HF 2267
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS
BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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SSB 2049



FERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF INSPECTIONS AND APPEALS

KIM D. SCHMETT, DIRECTOR

JOHN T. SCHAFFNER, DEPUTY DIRECTOR

January 12, 1998

TO: Members of the General Assembly

FR: Kim D. Schmett *KDS*

RE: Proposed legislation

This legislation would allow employees and persons under contract with the Department of Inspections and Appeals to have access to vehicle registration information for purposes related to the conduct of an investigation.

Employees and persons under contract with the Department conduct welfare fraud investigations, professional and occupational licensing investigations, and investigations for public defenders which may require vehicle registration information to fully conduct the investigation. The Department previously had access to this information, but legislative and enforcement changes under House File 2462 of the 1996 legislative session and Senate File 132 of the 1997 legislative session removed this access.

Please direct any questions concerning this legislation to Beverly Zylstra, Legislative Liaison, at 281-6442 or e-mail at bzylstr@max.state.ia.us.

~~performance of the officer's or employee's duties. A person seeking the information shall state in writing the nature of the unlawful act that the person is attempting to prevent.~~

SENATE FILE 2267

AN ACT
CONCERNING THE RELEASE OF INFORMATION BY THE DEPARTMENT
OF TRANSPORTATION TO GOVERNMENTAL EMPLOYEES.

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

Section 1. Section 321.11, unnumbered paragraph 3, Code Supplement 1997, is amended to read as follows:

Notwithstanding other provisions of this section to the contrary, the department shall not release personal information to a person, other than to an officer or employee of a law enforcement agency, an employee of a federal or state agency or political subdivision in the performance of the employee's official duties, a contract employee of the department of inspections and appeals in the conduct of an investigation, or a licensed private investigation agency or a licensed security service or a licensed employee of either, if the information is requested by the presentation of a registration plate number. However, in addition, an officer or employee of a law enforcement agency may release the name, address, and telephone number of a motor vehicle registrant to a person requesting the information by the presentation of a registration plate number if the officer or employee of the law enforcement agency believes that the release of the information is necessary to prevent an unlawful act in the

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2267, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate
Approved April, 1998

TERRY E. BRANSTAD
Governor