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SENATE FILE 2183
BY BOLKCOM and HAMMOND

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 2183
TRANSPORTATION

1 Section 1. Section 80.9, subsection 2, Code Supplement
2 1999, is amended by adding the following new paragraph:

3 - NEW PARAGRAPH. i. 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 be required to furnish data which
12 includes individual data about the driver of each motor
13 vehicle stopped. The individual data of the driver to be
14 collected shall include, but is not limited to, the driver's
15 race or ethnicity, age, and gender. The individual data of
16 the driver shall be obtained from the driver's license or
17 based upon the perceptions of the peace officer responsible
18 for collecting the data. However, the peace officer shall not
19 be required to question the driver about the driver's
20 individual data. The data shall also include whether a search
21 of the motor vehicle was conducted and if a citation was
22 issued or an arrest was made.

23 The department shall adopt rules pursuant to chapter 17A to
24 administer this section.

25 2. The department shall submit an annual report to the
26 general assembly by January 15 of each year based upon the
27 information collected from the department and local law
28 enforcement agencies.

29 Sec. 3. Section 331.653, Code 1999, is amended by adding
30 the following new subsection:

31 NEW SUBSECTION. 44. Furnish data to the department of
32 public safety concerning motor vehicle stops pursuant to
33 section 80.40.

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

35 The chief of police shall furnish data to the department of

1 public safety concerning motor vehicle stops pursuant to
2 section 80.40.

3 Sec. 5. Section 690.1, Code 1999, is amended to read as
4 follows:

5 690.1 CRIMINAL AND MOTOR VEHICLE IDENTIFICATION.

6 The commissioner of public safety may provide in the
7 department a bureau of criminal identification. The
8 commissioner may adopt rules for the same. The sheriff of
9 each county and the chief of police of each city shall furnish
10 to the department criminal identification records, motor
11 vehicle stop data pursuant to section 80.40, and other
12 information as directed by the commissioner of public safety.

13 Sec. 6. IMPLEMENTATION OF ACT. Section 25B.2, subsection
14 3, shall not apply to this Act.

15 EXPLANATION

16 This bill establishes a central repository in the
17 department of public safety for the purpose of collecting and
18 disseminating information about motor vehicle stops.

19 The bill provides that the department of public safety and
20 local law enforcement agencies making a traffic stop shall
21 collect information which shall include, but is not limited
22 to, the driver's race or ethnicity, age, gender, whether a
23 search of the vehicle was conducted, and if a citation was
24 issued or an arrest made. The bill provides that the
25 information shall be collected from the driver's license or
26 based upon the perceptions of the officer. The bill does not
27 require an officer to question a driver about information
28 collected pursuant to the bill.

29 This bill may include a state mandate as defined in Code
30 section 25B.3. This bill makes inapplicable Code section
31 25B.2, subsection 3, which would relieve a political
32 subdivision from complying with a state mandate if funding for
33 the cost of the state mandate is not provided or specified.
34 Therefore, political subdivisions are required to comply with
35 any state mandate included in this bill.