

House File 2119 - Introduced

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A BILL FOR

1 An Act relating to driver's licenses and nonoperator's
2 identification cards, including personal information
3 required for associated applications, and making penalties
4 applicable.

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

1 Section 1. Section 321.11, subsections 2 and 3, Code 2024,
2 are amended to read as follows:

3 2. Notwithstanding **subsection 1**, personal information
4 shall not be disclosed to a requester, except as provided in
5 18 U.S.C. §2721, unless the person whose personal information
6 is requested has provided express written consent allowing
7 disclosure of the person's personal information. As used in
8 this section, "*personal information*" means information that
9 identifies a person, including a person's photograph, social
10 security number, citizenship status, driver's license number,
11 name, address, telephone number, and medical or disability
12 information, ~~but~~. "Personal information" does not include
13 information on vehicular accidents, driving violations, and
14 driver's status, or a person's zip code.

15 3. Notwithstanding other provisions of **this section** to the
16 contrary, the department shall not release personal information
17 to a person, other than to an officer or employee of a law
18 enforcement agency, an employee of a federal or state agency
19 or political subdivision in the performance of the employee's
20 official duties, a contract employee of the department of
21 inspections, appeals, and licensing in the conduct of an
22 investigation, or a licensed private investigation agency
23 or a licensed security service or a licensed employee of
24 either, if the information is requested by the presentation
25 of a registration plate number. In addition, an officer or
26 employee of a law enforcement agency may release the name,
27 address, and telephone number of a motor vehicle registrant to
28 a person requesting the information by the presentation of a
29 registration plate number if the officer or employee of the law
30 enforcement agency ~~believes that the release of the information~~
31 ~~is necessary in the performance of the officer's or employee's~~
32 duties is ordered to do so by a court.

33 Sec. 2. NEW SECTION. 321.11B Prohibited use of personal
34 information.

35 A person shall not use information contained on an

1 application submitted pursuant to section 321.182 or
2 321.190 as evidence of an applicant's citizenship or lawful
3 presence in the United States, or as the primary basis for
4 immigration-related investigation, detention, or arrest.

5 Sec. 3. Section 321.182, subsection 1, paragraph a, Code
6 2024, is amended to read as follows:

7 a. Make application on a form provided by the department
8 which shall include the applicant's full name, signature,
9 current mailing address, current residential address, date
10 of birth, ~~social security number,~~ and physical description
11 including sex, height, and eye color. ~~The application may~~
12 ~~contain other information the department may require by rule.~~
13 ~~Pursuant to procedures established by the department and for~~
14 ~~an applicant who is a foreign national temporarily present in~~
15 ~~this state, the department may waive the requirement that the~~
16 ~~application include the applicant's social security number.~~

17 Sec. 4. Section 321.190, subsection 1, paragraph d, Code
18 2024, is amended to read as follows:

19 d. The fee for a nonoperator's identification card shall
20 be eight dollars and the card shall be valid for a period of
21 eight years from the date of issuance. ~~If an applicant for~~
22 ~~a nonoperator's identification card is a foreign national~~
23 ~~who is temporarily present in this state, the nonoperator's~~
24 ~~identification card shall be issued only for the length of time~~
25 ~~the foreign national is authorized to be present as determined~~
26 ~~by the department, not to exceed two years.~~ An issuance fee
27 shall not be charged for a person whose driver's license or
28 driving privilege has been suspended under section 321.210,
29 subsection 1, paragraph "a", subparagraph (3), or voluntarily
30 surrendered by the person in lieu of suspension under section
31 321.210, subsection 1, paragraph "a".

32 Sec. 5. Section 321.196, subsection 1, Code 2024, is amended
33 to read as follows:

34 1. Except as otherwise provided, if the licensee is between
35 the ages of seventeen years eleven months and seventy-eight

1 years on the date of issuance of the license, a driver's
2 license, other than an instruction permit, chauffeur's
3 instruction permit, or commercial learner's permit issued
4 under [section 321.180](#), expires eight years from the licensee's
5 birthday anniversary occurring in the year of issuance, but
6 not to exceed the licensee's eightieth birthday. If the
7 licensee is under the age of seventeen years eleven months
8 or age seventy-eight or over, the license is effective for a
9 period of two years from the licensee's birthday anniversary
10 occurring in the year of issuance. A licensee whose license is
11 restricted due to vision or other physical deficiencies may be
12 required to renew the license every two years. ~~If a licensee
13 is a foreign national who is temporarily present in this state,
14 the license shall be issued only for the length of time the
15 foreign national is authorized to be present as verified by the
16 department, not to exceed two years.~~

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 Under current law, a person is required to make an
21 application for a driver's license on a form provided by the
22 department of transportation (DOT). The person must provide
23 the person's full name, signature, current mailing address,
24 current residential address, date of birth, social security
25 number, and physical description including sex, height,
26 and eye color. The DOT may waive the requirement that a
27 foreign national provide a social security number, and if
28 the requirement is waived, pursuant to administrative rules,
29 the DOT will only accept certain documents issued by foreign
30 governments and federal immigration authorities in lieu of the
31 social security number. These provisions are also applicable
32 to nonoperator's identification cards under Code section
33 321.190.

34 This bill strikes the requirement that a person provide the
35 person's social security number. The bill also strikes the

1 DOT's authorization to require other information by rule.

2 The bill makes conforming Code changes to specify that a
3 person's citizenship status is considered personal information
4 that the DOT is prohibited from disclosing without the person's
5 written consent, unless required by law.

6 The bill also prohibits a person from using information
7 contained on an application for a driver's license or
8 nonoperator's identification card (application) as evidence
9 of the applicant's citizenship or lawful presence in the
10 United States, or as the primary basis for immigration-related
11 investigation, detention, or arrest. By operation of
12 law, a person who violates this provision commits a simple
13 misdemeanor. A simple misdemeanor is punishable by confinement
14 for no more than 30 days and a fine of at least \$105 but not
15 more than \$855.

16 The bill strikes provisions requiring a driver's license or
17 nonoperator's identification card to be issued to a foreign
18 national who is authorized to be present in Iowa temporarily
19 only for the length of time the foreign national is authorized
20 to be present.