

Senate File 2280 - Introduced

SENATE FILE 2280

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 2145)

A BILL FOR

1 An Act limiting the release of personal information maintained
2 by the department of transportation to out-of-state persons,
3 and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.11, subsection 3, Code 2024, is
2 amended to read as follows:

3 3. Notwithstanding other provisions of this section to the
4 contrary, the department shall not release personal information
5 to a person, other than to an officer or employee of a law
6 enforcement agency within this state, an employee of a federal
7 or state agency within this state or political subdivision
8 of this state in the performance of the employee's official
9 duties, a contract employee of the department of inspections,
10 appeals, and licensing in the conduct of an investigation, ~~or~~
11 a licensed private investigation agency within this state or
12 a licensed security service within this state or a licensed
13 employee of either, or a person who provides or otherwise
14 distributes the information exclusively to another person who
15 provides financial liability coverage, if the information is
16 requested by the presentation of a registration plate number.
17 In addition, an officer or employee of a law enforcement agency
18 may release the name, address, and telephone number of a motor
19 vehicle registrant to a person requesting the information by
20 the presentation of a registration plate number if the officer
21 or employee of the law enforcement agency believes that the
22 release of the information is necessary in the performance of
23 the officer's or employee's duties; however, an officer or
24 employee of a law enforcement agency shall not release personal
25 information of a person issued a driver's license by the
26 department to an out-of-state person or agency if the release
27 of personal information could be used to initiate a proceeding,
28 issue a fine, or enforce any other penalty resulting from an
29 alleged traffic violation, unless ordered to do so by a court,
30 or unless the person whose personal information is requested
31 has provided express written consent allowing the disclosure of
32 the person's personal information.

33 EXPLANATION

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

1 Under current law, records of the department of
2 transportation (DOT) are generally open to public inspection
3 during office hours. However, certain confidential records
4 and personal information are protected and are not open to
5 public inspection. "Personal information" means information
6 that identifies a person, including a person's photograph,
7 social security number, driver's license number, name, address,
8 telephone number, and medical or disability information, but
9 does not include information on vehicular accidents, driving
10 violations, and the driver's status or a person's zip code.

11 The DOT is prohibited from releasing personal information,
12 if the information is requested by the presentation of a
13 registration plate number, to a person, other than to an
14 officer or employee of a law enforcement agency, an employee
15 of a federal or state agency or political subdivision in the
16 performance of the employee's official duties, a contract
17 employee of the department of inspections, appeals, and
18 licensing in the conduct of an investigation, or a licensed
19 private investigation agency or a licensed security service or
20 a licensed employee of either. This bill prohibits the DOT
21 from releasing personal information except to federal employees
22 and other persons described in the bill who are employed
23 or licensed in Iowa, and persons who provide or otherwise
24 distribute such information exclusively to another person who
25 provides financial liability coverage.

26 Current law authorizes an officer or employee of a law
27 enforcement agency to release the name, address, and telephone
28 number of a motor vehicle registrant to a person requesting
29 the information by the presentation of a registration plate
30 number if the officer or employee of the law enforcement agency
31 believes that the release of the information is necessary in
32 the performance of the officer's or employee's duties. The
33 bill prohibits an officer or employee from releasing personal
34 information of a person issued a driver's license by the DOT
35 to an out-of-state person or agency if the release of personal

1 information could be used to initiate a proceeding, issue a
2 fine, or enforce any other penalty resulting from an alleged
3 traffic violation unless ordered to do so by a court, or unless
4 the person whose personal information is requested has provided
5 express written consent allowing disclosure of the person's
6 personal information.

7 By operation of law, a person who violates the bill commits
8 a simple misdemeanor punishable by confinement for no more than
9 30 days and a fine of at least \$105 but not more than \$855.