

Senate File 259 - Introduced

SENATE FILE 259
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 51)

A BILL FOR

1 An Act limiting the release of personal information for traffic
2 violations observed by an out-of-state traffic camera, and
3 making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **321.11B Disclosure of information**
2 **prohibited — out-of-state traffic camera violations.**

3 1. A person who requests personal information from the
4 department or a law enforcement agency by presenting a
5 registration plate number shall affirm the reason for the
6 request, subject to penalty for perjury.

7 2. Notwithstanding section 321.11, subsections 1, 2, and 3,
8 the department and any officer or employee of a law enforcement
9 agency shall not release personal information of a person who
10 was issued a driver's license by the department or who has a
11 motor vehicle registered in this state, if the release of such
12 information would be used to issue or collect a fine for a
13 violation of a traffic law observed by a traffic camera outside
14 of this state. This subsection does not prohibit the release of
15 personal information if the requester is investigating criminal
16 or civil law violations other than traffic law violations
17 captured by a traffic camera.

18 3. As used in this section:

19 a. "Person" means as defined in section 4.1.

20 b. "Personal information" means as defined in section 321.11.

21 c. "Traffic camera" means a camera or other optical device
22 designed to detect and record motor vehicles being operated in
23 violation of a traffic law, including a violation for failure to
24 obey an official traffic-control signal, for excessive speed, and
25 for failure to pay a required toll, the use of which results in
26 the issuance or collection of a fine.

27 **EXPLANATION**

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

30 Under current law, the department of transportation (DOT) is
31 prohibited from releasing personal information, if requested by
32 the presentation of a registration plate number, to a person
33 other than an officer or employee of a law enforcement agency,
34 an employee of a federal or state agency or political subdivision
35 in the performance of official duties, a contract employee of the

1 department of inspections, appeals, and licensing in the conduct
2 of an investigation, or a licensed private investigation agency
3 or a licensed security service. An officer or employee of a law
4 enforcement agency is authorized to release the name, address,
5 and telephone number of a motor vehicle registrant to a person
6 requesting the information by the presentation of a registration
7 plate number if the officer or employee of the law enforcement
8 agency believes that the release of the information is necessary
9 in the performance of the officer's or employee's duties.

10 This bill requires a person who requests personal information
11 from the DOT or a law enforcement agency by presenting a
12 registration plate number to affirm the reason for the request,
13 subject to penalty for perjury. By operation of law, any person
14 who knowingly swears or affirms falsely to any matter or thing
15 required under Code chapter 321 (motor vehicles and law of the
16 road) to be sworn to or affirmed, including as required by the
17 bill, is guilty of a class "D" felony. A class "D" felony is
18 punishable by confinement for no more than five years and a fine
19 of at least \$1,025 but not more than \$10,245.

20 The bill prohibits the DOT and any officer or employee of a
21 law enforcement agency from releasing to an otherwise eligible
22 requester the personal information of a person who was issued a
23 driver's license by the DOT or who has a motor vehicle registered
24 in Iowa if the information would be used to issue or collect
25 a fine for a violation of a traffic law observed by a traffic
26 camera outside of Iowa. The bill does not prohibit the release
27 of personal information if the requester is investigating other
28 criminal or civil law violations captured by a traffic camera.
29 By operation of law, a person who violates this provision commits
30 a simple misdemeanor punishable by confinement for no more than
31 30 days and a fine of at least \$105 but not more than \$855.