

TRANSPORTATION

FILED FEB 22 '01

SENATE FILE 266

BY MCKINLEY

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the release of certain personal information by
2 the state department of transportation.

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

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SF 266
TRANSPORTATION

1 Section 1. Section 321.11, subsections 2 and 4, Code 2001,
2 are amended to read as follows:

3 2. Notwithstanding subsection 1, personal information
4 shall not be disclosed to a requestor, except as provided in
5 ~~Pub. L. No. 106-697, § 350(b)~~ or 18 U.S.C. § 2721, unless the
6 person whose personal information is requested has provided
7 express written consent allowing disclosure of the person's
8 personal information. As used in this section, "personal
9 information" means information that identifies a person,
10 including a person's photograph, social security number,
11 driver's license number, name, address, telephone number, and
12 medical or disability information, but does not include
13 information on vehicular accidents, driving violations, and
14 driver's status or a person's zip code.

15 4. The department shall not ~~set~~ release personal
16 information which that is in the form of a person's photograph
17 or digital image or a digital reproduction of a person's
18 photograph, to a person other than an officer or employee of a
19 law enforcement agency, an employee of a federal or state
20 agency or political subdivision in the performance of the
21 employee's official duties, a contract employee of the
22 department of inspections and appeals in the conduct of an
23 investigation, or a licensed private investigation agency or a
24 licensed security service or a licensed employee of either,
25 regardless of whether a person has provided express written
26 consent to disclosure of the information. ~~This subsection~~
27 ~~does not prohibit the~~ The department from collecting may
28 collect reasonable fees for copies of records or other
29 services provided pursuant to this section or section 22.3,
30 321.10, or 622.46.

31 EXPLANATION

32 This bill amends Code section 321.11 to provide that the
33 state department of transportation may release personal
34 information that is in the form of a person's photograph to
35 officers and employees of a law enforcement agency, employees

1 of federal or state agencies or political subdivisions in the
2 performance of the employee's official duties, contract
3 employees of the department of inspections and appeals in the
4 conduct of an investigation, and licensed private
5 investigation agencies, licensed security services, and
6 licensed employees of either. The bill strikes a reference to
7 a federal statute that has been incorporated into another
8 federal statute referenced in Code section 321.11.

9 The bill also amends Code section 321.11 to prohibit the
10 department from releasing personal information that is in the
11 form of a person's photograph to persons other than those
12 listed and to allow the department to collect reasonable fees
13 for copies of records or other services provided pursuant to
14 the section or pursuant to certain other Code provisions.
15 Currently, Code section 321.11 prohibits the department from
16 selling personal information that is in the form of a person's
17 photograph and provides that the prohibition does not prevent
18 the department from collecting reasonable fees for copies of
19 records or other services provided pursuant to certain other
20 Code provisions.

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