

Motor Vehicle Division Information Memo # 20-32

Undercover Law Enforcement Driver's License Administrative Rule Updates

DATE: November 10, 2020

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Bureau of Investigation and Identity staff and Driver and Identification Services staff

SUBJECT

This informational memo explains an update to administrative rule chapter 761—625, Driver's Licenses for Undercover Law Enforcement Officers.

SUMMARY

The proposed amendments align the expiration date for a driver's license issued to an undercover law enforcement officer to the applicable expiration date listed in Iowa Code section 321.196, allowing them to obtain an undercover driver's license with an eight-year expiration date if eligible.

Currently central office DIS staff issue driver's licenses with a two-year expiration date to undercover law enforcement officers. However, federal REAL ID regulation, 6 CFR, Section 37.11(i), specifies that the REAL ID credentials issued to undercover law enforcement officers shall not be distinguishable from other REAL ID credentials issued by the state.

By restricting an applicant who would be otherwise eligible for an 8-year driver's license to a 2-year license, just because the applicant is an undercover law enforcement officer, there is a risk of inadvertently identifying the law enforcement officer as undercover just by the credential expiration date, which is why we are making this rule change.

The administrative rule amendments are effective November 11, 2020.

LINK TO ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/5205C.pdf>

CURRENT

Administrative rule chapter 761—625 currently requires a driver's license issued to an undercover law enforcement officer to be issued with a 2-year expiration date.

NEW

As of November 11, 2020, the rules will now allow a qualified law enforcement officer to obtain an undercover driver's license with an expiration date that they would be entitled to under Iowa Code section 321.196, including a driver's license with an 8-year expiration date.

BUSINESS IMPACT

This directive does not significantly impact the way that DIS service center staff operates because undercover driver's licenses are issued by central office staff in Ankeny. However, it is important for staff to be aware of this administrative rule update.