Motor Vehicle Division Informational Memo # 19-14

2019 Legislation – Deaf and Hard of Hearing Indicator on Driver's Licenses and Non-Operator IDs

DATE: June 17, 2019
FROM: Kathleen Meradith-Eyers, DIS operational analyst
TO: All Driver and Identification Services (DIS) staff, Iowa County Treasurers and County Treasurers' staff that issue driver's licenses and non-operator's identification cards

SUBJECT
This informational memo explains legislation enacted during the 2019 legislative session concerning the designation of a customer's status as deaf or hearing impaired on a driver's license (DL) or non-operator's identification card (ID).

SUMMARY
During the 2019 legislative session, House File 643 was passed amending Iowa Code sections 321.189 (driver's license content) and 321.190 (non-operator ID cards) to allow applicants who are deaf or hard-of-hearing to request a designation on their driver's license or identification card when applying for card issuance or renewal. This bill does not require any changes to the indicator that is currently placed on licenses or IDs upon customer request. The bill also does not change the issuance process for customers who request a "deaf" or "hearing impaired" designation on their credential; rather, the bill just codifies the existing option for doing so.
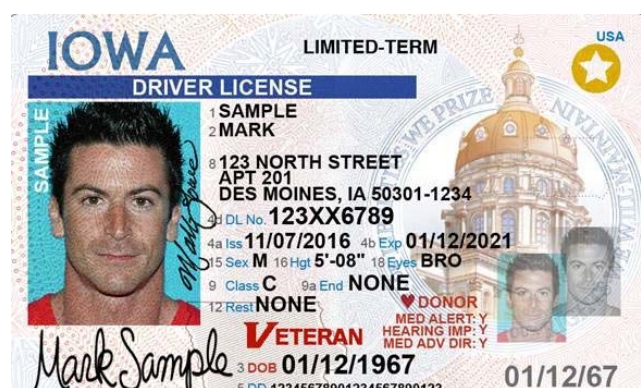
In addition, the bill requires a customer's deaf or hard-of-hearing status to be noted in the electronic database used by law enforcement to retrieve DOT information, and the purpose of this requirement is to help law enforcement realize they are interacting with a customer that is deaf or hard of hearing. The bill also requires the DOT to consult with the Deaf Services Commission of Iowa to develop educational media to raise awareness of the deaf or hard-of-hearing indicator option. **The legislation becomes effective on July 1, 2019.**

LINK TO LEGISLATION
https://www.legis.iowa.gov/docs/publications/LGE/88/HF643.pdf

CURRENT
The ability to request a "deaf" or "hearing impaired" indicator on a DL or ID is already in DOT administrative subrules 761--605.5(7) and 630.2(4). When a customer requests this designation on a DL or ID, issuance staff selects the indicator in ARTS, and it appears on the license as either "Deaf: Y" or "Hearing Imp: Y," according to the customer's indication. For example, in the license below, the customer's hearing impaired status is indicated in the lower righthand portion of the card as "Hearing Imp: Y":

Additionally, under current law, the deaf or hearing impaired indicator is not transmitted to the teletype database used by the DOT to communicate an individual's information to law enforcement. Law enforcement uses this database to access pertinent information such as registration, titling, and driving record when encountering an individual.

NEW

Nothing is changing regarding the issuance process for customers who request a deaf or hearing impaired designation on their DL or ID. The designation remains completely voluntary and is added to the credential upon customer request. The option is simply being codified in statute. The bill also requires that the individual's deaf or hard of hearing status be noted in the database used by the Iowa DOT to communicate customer information to law enforcement. The intent of including this information in the database is to improve interactions by helping law enforcement officers understand a customer's behavior if they appear to be non-responsive to verbal questions due to their hearing status. If a customer has their hearing status indicated on their credential, that information will automatically be transmitted to the database. We are coordinating with the Department of Public Safety to implement the necessary programming, and it is expected to be complete by July 1, 2019.

BUSINESS IMPACT

There are no changes regarding the issuance process for customers who request a deaf or hearing impaired designation on their DL or ID. However, due to the requirement of the bill to produce educational media to raise awareness about this option, you may see an increase in customers asking questions or seeking to add the indicator to their DL or ID.

QUESTIONS AND ANSWERS

The following questions and answers provide additional information that will be helpful to you and to customers.

WILL THERE BE ANY PUBLIC AWARENESS EFFORTS TO PROMOTE THE OPTION TO ADD A DEAF OR HEARING IMPAIRED INDICATOR?

Yes; the bill requires the Iowa DOT, in collaboration with the Deaf Services Commission of Iowa, to develop educational media to raise awareness of a customers' ability to request the license be marked to reflect their deaf or hard-of-hearing status. We are working closely with the Commission, through the Department of Human Rights, as well as our Office of Strategic Communications, to develop this content. We anticipate that this will include videos in sign language that will be played on the Motor Vehicle Network throughout state driver's license service centers, as well as print materials to be displayed at county and state driver's license locations.

HOW SHOULD WE RESPOND IF A CUSTOMER EXPRESSES INTEREST IN THE DEAF OR HEARING IMPARIED INDICATOR, BUT WANTS MORE INFORMATION?

Customers should be assured that the indicator is completely voluntary and is not a restriction to their driving privileges. You can also inform them that, if they choose to have the indicator on their license, it will be communicated to law enforcement through the database that contains their driving record information. As always, the indicator can be removed or added upon request at a subsequent issuance.

WHAT IF A CUSTOMER WANTS THE INDICATOR ON THEIR LICENSE, BUT DOES NOT WANT THE INFORMATION TO BE COMMUNICATED TO LAW ENFORCEMENT (OR VICE VERSA)?

It is not an option to choose to have the indicator either on the face of the license or in the law enforcement database. In fact, the legislation requires that, if a deaf or hearing impaired indicator appears on the license, the information must also be transmitted to law enforcement.