



# Legislative Council Staff

## Research Note

Version: Final

Date: 6/15/2016

### Bill Number

**House Bill 16-1021**

### Sponsors

**Representative Salazar  
Senators Ulibarri and Roberts**

### Short Title

***Race Information ID Application***

### Research Analyst

**Conrad Imel (x2756)**

### Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 10, 2016.

### Summary

This bill, recommended by the Profiling-Initiated Contacts by Law Enforcement Interim Study Committee, requires the state Division of Motor Vehicles (DMV) in the Colorado Department of Revenue (DOR) to modify the application process for drivers' licenses and state-issued identification cards. Revised applications for these documents must include the opportunity for an applicant to self-identify his or her race or ethnicity. If an applicant chooses to report his or her race or ethnicity information, the information must not be printed on the card; rather, this information must be maintained in the information stored on the card's magnetic strip, accessible to law enforcement equipped with magnetic strip card readers.

### Background

Under current law, the DMV collects approximately 15 specified pieces of data from individuals applying for driver's licenses, instruction permits, and identification cards. The division also collects approximately five additional pieces of personal data on a voluntary basis, such as emergency contact information or an applicant's willingness to be an organ donor. Certain information is required to be printed on the license, permit, or identification card, and other information is stored in the division's driver's license system, which is available immediately to any law enforcement agency equipped with magnetic strip card readers.

*This research note was prepared by Legislative Council Staff, the nonpartisan research staff for the Colorado General Assembly. The research note is provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly. Legislative Council Staff are not attorneys, and the research note is not a legal opinion. If you have legal questions about the bill, including questions about the meaning of the bill language or amendments, please contact the drafter.*

## House Action

**House Judiciary Committee (April 14, 2016).** The committee adopted amendment L.001, and referred the bill, as amended, to the House Committee of the Whole. Amendment L.001 removed provisions making self-identified race or ethnicity information available to a law enforcement officer through magnetic or electronic readers, and made the bill applicable to driver's license and state identification card applications made on or after March 1, 2017. The change in the applicability date eliminated certain computer programming costs in the DOR.

**House second reading (April 18, 2016).** The House adopted Amendment L.002, which amended the Judiciary Committee report to remove the provisions adopted by the committee related to the availability of information to law enforcement officers, and to amend the bill to state that race or ethnicity information is available to law enforcement agencies, but that information shall not be available to law enforcement officers during stops. The House adopted the amended Judiciary Committee report and passed the bill on second reading.

**House third reading (April 19, 2016).** The House passed the bill on third reading with no amendments.

## Senate Action

**Senate Judiciary Committee (April 26, 2016).** The committee heard testimony in opposition to the bill from representatives of the Department of Public Safety. The committee adopted amendment L.003, which makes self-identified race or ethnicity information available to a law enforcement officer through magnetic or electronic readers.

**Senate second reading (April 28, 2016).** The Senate adopted the Senate Judiciary Committee report and passed the bill on second reading.

**Senate third reading (April 29, 2016).** The Senate passed the bill on third reading with no amendments.

## Conference Committee

**First conference committee (May 6, 2016).** The House did not concur in amendments made by the Senate, and a conference committee was formed. The committee decided to concur with the rerevised version of the bill, passed by the Senate, and to dissolve the conference committee.

**House action (May 11, 2016).** The House concurred with Senate amendments and repassed the bill.

## Relevant Research

Legislative Council Staff, Profiling-Initiated Contacts by Law Enforcement Interim Committee Final Report, December 2015: <http://tinyurl.com/hfvdn2x>.

Legislative Council Staff, *The Real ID Act: Identification and Documentation Requirements*, Issue Brief, June 2006: <http://tinyurl.com/z3olvbp>.