

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1799*
Judiciary I (Civil) Committee Substitute Adopted 5/29/08

Short Title: DMV Employee Criminal History. - AB

(Public)

Sponsors:

Referred to:

May 21, 2008

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 114 of the General Statutes is amended by adding a new section to read:

"§ 114-19.24. Criminal record checks of applicants and of current employees who are involved in the manufacture or production of drivers licenses and identification cards.

(a) The Department of Justice may, upon request, provide to the Department of Transportation, Division of Motor Vehicles, the criminal history of any of the following:

- (1) An applicant for employment;
- (2) A current employee;
- (3) A contractual employee or applicant;
- (4) An employee of a contractor;

if the person (i) is or will be involved in the manufacture or production of drivers licenses and identification cards, or (ii) has or will have the ability to affect the identity information that appears on drivers licenses or identification cards.

(b) Along with the request, the Division of Motor Vehicles shall provide the following to the Department of Justice:

- (1) The fingerprints of the applicant.
- (2) A form signed by the applicant consenting to:
 - a. The criminal record check.
 - b. The use of fingerprints.

1 c. Any other identifying information required by the State and
2 National Repositories.

3 d. Any additional information required by the Department of
4 Justice.

5 (c) The applicant's fingerprints shall be forwarded to the State Bureau of
6 Investigation for a search of the State's criminal history record file, and the State Bureau
7 of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation
8 for a national criminal history record check.

9 (d) The Division of Motor Vehicles shall keep all information obtained pursuant
10 to this section confidential.

11 (e) The Department of Justice may charge a fee to offset the cost incurred by it to
12 conduct a criminal record check under this section. The fee shall not exceed the actual
13 cost of locating, editing, researching, and retrieving the information."

14 **SECTION 2.** This act is effective when it becomes law