



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 167
[2009 Assembly Bill 230]

**Electronic Access to Operator's
License and Identification Card
Photographs**

2009 Wisconsin Act 167 requires the Department of Transportation (DOT) to make any photograph taken of an operator's license or identification card applicant available to the Department of Justice (DOJ) upon electronic request. The Act requires that the photographs be available in digital format.

Act 167 requires DOJ to provide Wisconsin law enforcement agencies, federal law enforcement agencies, and law enforcement agencies of other states, electronic access to these photographs for the administration of criminal justice and traffic enforcement. Access must be granted through the transaction information for the management of enforcement (TIME) system or another similar system. In order for the authorized agencies to gain access to the photographs, they must submit an electronic request. The request shall contain certification that the request is made for traffic enforcement or administration of criminal justice services and verification of the requesting agency, such as an electronic signature. Electronic access must be promptly available to those law enforcement agencies submitting electronic requests that meet the requirements of the Act. DOJ must maintain a record of each request and response made under this Act.

Photographs received under this Act may not be used for lineup or photo array. Additionally, the photographs must contain a notation stating that the photograph is subject to requirements and restrictions under state statutes and shall not be used for any purpose other than the administration of criminal justice or traffic enforcement. Finally, Act 167 maintains current law concerning further disclosure of photographs secured by law enforcement agencies under the TIME system.

Effective date: March 29, 2011.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.