Memorandum 11-120 Chauffeur License Application Process

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MEMORANDUM 11-120

DATE: August 9, 2011
TO: Walt Wrede
FROM: Mark Robl, Chief of Police
SUBJECT: Chauffeur License Application Process

Last night I spoke with council about our chauffeur's license application process. I need to clarify an issue surrounding fingerprints and our background check procedure.

First, it is true that state CDL applicants are fingerprinted in conjunction with their licensing process. What happens with the prints is much different than what we are able to do with them. The state uses the prints to verify that the person is who they say they are, is not wanted and has a valid license. HPD cannot obtain copies of the prints from the state and we cannot access them for any purpose.

It is important to realize that we cannot "run" a person in the state or national crime information computer systems unless we have probable cause to believe that the person has committed a crime. We cannot perform background checks on any job applicant through the system other than for someone applying for a job that is directly related to public safety. This is narrowly defined to mean a police officer, trooper, dispatcher or jail officer. Our computer runs are strictly monitored by the state and audited annually. Any red flags that pop up trigger alarms in the system that are investigated immediately.

Our chauffeur's license applicants have to fill out and submit an application form on which they answer 7 questions about their criminal history. They sign on the bottom under wording certifying that the information they have provided on the form is true and correct. They are required to submit the application along with a set of fingerprints and the appropriate fees asking for a background check through the system based on their prints. The background check is delivered directly to us. It takes several weeks for the prints to go through and the background check to arrive. In the meantime, if the rest of their application is complete, they are issued a chauffeur's license and they are allowed to begin driving. When the print based background check comes back to us, the results are compared to the answers they submitted to the 7 questions. If they lied about their criminal history, they have committed the crime of unsworn falsification by signing the form with false information on it. We are then able to "run" the person through the system thoroughly, obtain an accurate criminal history, charge them with unsworn falsification and revoke the license.

Related Ordinances**Memorandum - Related Ordinances:** Ordinance 11-33 Exempt Vehicles Designed to Transport 16 or More Persons and Operators from Requirements of HCC 8.12

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