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January 12, 2016

Deanna Maiolo  
Colorado Department of State  
1700 Broadway, Suite 200  
Denver, CO 80290

RE: Correction to 1 CCR 204 – Recodified as 1 CCR 204-30 Rule 13  
Amendments to Rules of Access to and Use of Images  
and Image Comparison Technology  
Tracking Number: 2016-00027

Dear Ms. Maiolo:

Pursuant to section 24-4-103(11)(d)(II), C.R.S. (2015), the following correction to the above referenced rule is not a substantive change but a correction to an error that occurred in the publishing process.

The specific correction addresses a typographical error found in the rule adopted December 14, 2015. (see attachment) The correction deletes the following line in the rule which is nonsubstantive and was included in the rule in error:

Basis, Purpose and Statutory Authority: [Eff. XX/XX/XXXX

Please do not hesitate to contact me if I may be of further assistance.

Sincerely,  
FOR THE ATTORNEY GENERAL

  
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Attachment

**DEPARTMENT OF REVENUE**

**Division of Motor Vehicles**

**RULES FOR ACCESS TO AND USE OF IMAGES AND IMAGE COMPARISON TECHNOLOGY**

**1 CCR 204- RECODIFIED AS 1 CCR 204-30 RULE 13**

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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~~Basis, Purpose and Statutory Authority:~~ [Eff. XX/XX/XXXX]

Basis: The statutory basis for this rule is section 42-2-114(1)(a)(IV) and (V), C.R.S.

Purpose: This rule establishes the requirements for access to and use of facial images filed with, maintained by, or prepared by the Department and access to and use of image comparison technology, and limits such access and use to authorized agencies in support of their official functions.

**1.0 Definitions**

- 1.1 "Image" means a photograph, electronically stored photograph, or digitized photograph showing the face of the licensee, maintained by, or prepared by the Department.
- 1.2 "Image Comparison Technology" means any technology that is utilized to compare biometric data including facial images.

**2.0 Permitted Access and Use**

- 2.1 The Department shall permit access and use of images only as provided in subsection 42-2-114(1)(a)(IV), C.R.S.
- 2.2 The Department shall permit access and use of image comparison technology only as provided in subsection 42-2-114(1)(a)(V), C.R.S.

**3.0 Procedure**

- 3.1 An agency authorized in accordance with section 2.0 above, may request access to and/or use of images or image comparison technology. Such request shall be submitted to the Department in a format supplied by the Motor Vehicle Investigations Unit.

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**Editor's Notes**

History