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## **FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS FOR CERTAIN DRIVERS OF PASSENGERS**

### **Frequently Asked Questions**

Revised December 21, 2011

- Q.** Who is subject to the fingerprinting and background check process?
- A.** Persons who drive for certain types of motor carriers of passengers are subject to the fingerprinting and background check process.
- Q.** I am a driver for a motor carrier of passengers. Am I required to be fingerprinted?
- A.** Not necessarily. Only drivers for the following types of motor carriers are required to be fingerprinted: (1) Charter Bus (CSB); (2) Luxury Limousine (LL); (3) Off-Road Scenic Charter (ORC); (4) Children's Activity Bus (CAB); and/or (5) Taxicab. Drivers who do not operate a vehicle on this list are NOT subject to the fingerprint requirements.
- Q.** I drive several different types of vehicles. Does that matter?
- A.** Yes. If you drive a taxicab and/or one or more of the other vehicles listed in the answer above, you do need to be fingerprinted but only need to submit one set of fingerprints. However, in filling out your fingerprint card for submission, please follow the instructions that are associated with the *one* type of vehicle you *primarily* drive.
- Q.** I drive for several different motor carriers of passengers. Does that matter?
- A.** No. Only one fingerprint submission is required.



**Q.** What records are checked when I submit my fingerprints?

**A.** Fingerprints are sent to both the Colorado Bureau of Investigations and the Federal Bureau of Investigations. **Fingerprints will be used to check the criminal history records of the FBI.**

**Q.** How am I notified of the background check results?

**A.** After the background check process is complete, the driver will be mailed a “Qualification” or “Disqualification” letter to the address on the fingerprint card. The driver should provide a copy of the letter to each motor carrier of passengers that he/she will drive for. Motor carriers will be permitted to contact the PUC directly to obtain this information.

**Q.** How do I obtain and challenge my FBI Identification Record?

**A.** Individuals who want to obtain and/or challenge their FBI Identification Record should follow the attached link:

<http://www.fbi.gov/about-us/cjis/nics/general-information/cgbrochure.pdf>

**Q.** I left a motor carrier of passengers and am going to drive for a different carrier. Do I need go through the process again?

**A.** Not necessarily. It depends on the qualification expiration date on your “Qualification” letter. If the “Qualification” letter has not expired, a copy may be given to the new carrier.

**Q.** When do drivers need to be fingerprinted?

**A.** Under current law and rules, drivers need to be fingerprinted within ten days of contracting or being employed to drive. Remember to submit your fingerprints early in order to avoid processing delays.

**Q.** Where should drivers send their completed fingerprint cards and fee?

**A.** Drivers must send their completed fingerprint cards and fee to:

Colorado Public Utilities Commission  
Attn: Fingerprints  
1560 Broadway, Suite 250  
Denver, CO 80202

Payment of \$39.50 should be made payable to the Colorado Public Utilities Commission, or PUC. Personal checks are not accepted.

**Q.** How long does the fingerprint process take?

**A.** The fingerprint process can take two to three months. If the initial set of fingerprints is returned by the Colorado Bureau of Investigation as unreadable or unclassifiable, the process will need to be repeated and will take longer. Please plan ahead to reduce delays.

**Q.** How do I start the fingerprint process?

**A.** You must first acquire the right kind of fingerprint card (form FD-258). Some law enforcement agencies (sheriff and police departments) will be able to provide the appropriate fingerprint card for you; others will not. Contact your local law enforcement agency to make this determination.

If the law enforcement agencies you contact do not provide the appropriate fingerprint card, you may obtain the card from the Colorado Correctional Industries' Forms Center. The Forms Center is available by telephone at 303.370.2165, or on the World Wide Web at <http://www.coloradoci.com/manufacturers/stateForms/index.html?finger>.

**Q.** After I receive the fingerprint cards, how do I fill them out?

**A.** Detailed instructions are available on the PUC's website, at <http://www.dora.state.co.us/puc/trans/fingerprint.htm>.

**Q.** Where do I go to be fingerprinted?

**A.** Many sheriff and police departments will fingerprint you. Call your local sheriff or police department for more information. There may be a cost associated with this service in addition to the processing charge assessed by the Colorado Bureau of Investigation.

Additionally, you may be fingerprinted at the facilities of Colorado Correctional Industries, in Denver, Colorado. You may contact Colorado Correctional Industries by telephone at 303.370.2165, or on the World Wide Web at <http://www.coloradoci.com/manufacturers/stateForms/index.html?finger>.

**Q.** Can I fingerprint myself or others?

**A.** Please do not attempt to fingerprint yourself or others. You should be fingerprinted by trained personnel. Fingerprinting yourself or others will likely result in unreadable or unclassifiable fingerprints; resubmission of fingerprints for an additional processing charge will be required.

**Q.** I have already submitted my fingerprints (*e.g.*, for another employer, in connection with another regulated industry, for Denver International Airport, for the City and County of Denver, or for the City of Pueblo). Do I have to submit them again?

**A.** Yes. The PUC does not have access to fingerprints submitted in connection with any other employment. Nor does the PUC have access to the background check resulting from those submissions.

**Q.** If I have more questions, who can I contact?

**A.** You may contact:

- The Colorado Bureau of Investigation's Identification Unit at 303.239.4208.
- Colorado Correctional Industries at 303.370.2165.
- PUC personnel at 303.894.2915 or by email at:  
[Anthony.Cummings@dora.state.co.us](mailto:Anthony.Cummings@dora.state.co.us). or [Bob.Laws@dora.state.co.us](mailto:Bob.Laws@dora.state.co.us)

**Q.** What criminal offenses are disqualifying offenses?

**A.** Under current rules, an individual shall be disqualified and prohibited from driving if the criminal history reflects that:

- A driver is not of good moral character. A driver is not of good moral character if the driver has been convicted of a felony or misdemeanor involving moral turpitude. A felony or misdemeanor involving moral turpitude means:
  - a conviction in the State of Colorado at any time of any class 1 or 2 felony under Title 18, C.R.S
  - a conviction in the State of Colorado at any time of any unlawful sexual offense against a child, as defined in § 18-3-411, C.R.S.;
  - a conviction in the State of Colorado, within the ten years preceding the date the criminal history record check is completed, of a crime of violence, as defined in §18-1.3-406(2), C.R.S.;
  - a conviction in the State of Colorado, within the eight years preceding the date the criminal history record check is completed, of any class 3 felony under Title 18, C.R.S.,
  - a conviction in the State of Colorado, within the four years preceding the date the criminal history check is completed, of any class 4 felony under Articles 2, 3, 3.5, 4, 5, 6, 6.5, 8, 9, 12, or 15 of Title 18, C.R.S.; or
  - an offense in any other state or in the United States that is comparable to any offence listed above.

- Within the two years preceding the date the criminal history record check is completed, the individual was:
- convicted in this state of driving under the influence, as defined in section 42-4-1301(1)(f), C.R.S.; driving with excessive alcoholic content, as described in section 42-4-1301(2)(a), C.R.S.; driving while ability impaired, as defined in section 42-4-1301(1)(g), C.R.S.; or driving while an habitual user of a controlled substance, as described in section 42-4-1301(1)(c), C.R.S.; or
- convicted of a comparable offense in any other state or in the United States.

**Q.** What Colorado Statutes and/or Rules govern the submission of fingerprints?

**A.**

- Colorado Revised Statute 40-10.1-110
- Colorado Code of Regulations 4 CCR 723-6, Rule 6105

The Colorado Revised Statutes (C.R.S.) are available at:

<http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp=> .

The Transportation Rules are available at:

<http://www.sos.state.co.us/CCR>