

## **Disqualifying Criminal Offenses**

Pursuant to federal regulation, 6 CFR 37.45, all individuals who may be assigned to a position involving the manufacture, production, or issuance of driver licenses and photo-identification cards, must undergo a criminal history records checks. The following are Driver Services employment related disqualifying criminal offenses.

### **Permanent disqualifying criminal offenses.** **49 CFR 1572.103(a)**

Must not be convicted of or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following felonies:

- Espionage.
- Sedition.
- Treason.
- A federal crime of terrorism as defined in 18 U.S.C. 2332b(g), or comparable State law.
- A crime involving a transportation security incident.
- Improper transportation of a hazardous material under 49 U.S.C. 5124, or a State law that is comparable.
- Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device. An explosive or explosive device includes, but is not limited to, an explosive, or explosive material as defined in 18 U.S.C. 232(5), 841(c) through 841(f), and 844(j); and a destructive device, as defined in 18 U.S.C. 921(a)(4) and 26 U.S.C. 5845(f).
- Murder.
- Making any threat, or maliciously conveying false information knowing the same to be false, concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility.
- Violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. 1961, et seq., or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant, consists of one of the crimes in this list.
- Conspiracy or attempt to commit any of the above crimes in this list.

### **Interim disqualifying criminal offenses.** **49 CFR 1572.103(b)**

Must not be convicted of or found not guilty by reason of insanity in a civilian or military jurisdiction, within seven years of the date of the application; or incarcerated for that crime and released from incarceration within five years of the date of the application, of any of the following felonies:

- Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon. A firearm or other weapon includes, but is not limited to, firearms as defined in 18 U.S.C. 921(a)(3) or 26 U.S.C. 5845(a), or items contained on the U.S. Munitions Import List at 27 CFR 447.21.
- Extortion.
- Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering where the money laundering is related to a crime described in paragraphs 9a) or (b) of this section. (Welfare fraud and passing bad checks do not constitute dishonesty, fraud, or misrepresentation for purposes of this list).
- Bribery.
- Immigration violations.
- Distribution of, possession with intent to distribute, or importation of a controlled substance.
- Arson,
- Kidnapping or hostage taking.
- Rape or aggravated sexual abuse.
- Assault with intent to kill.
- Robbery.
- Fraudulent entry into a seaport as described in 18 U.S.C. 1036, or a comparable State law.
- Violations of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. 1961, et seq., or a comparable State law, other than the offenses which are Permanent Disqualifying offenses.
- Conspiracy or attempt to commit any of the above crimes in this list.