**Section 1231.180 Law Enforcement Fingerprinting Registration**

a) Law enforcement agencies that plan to submit to the Department Electronic Fingerprint Fee Applications (EFFA, the application submitted by a person being electronically fingerprinted) for FCCL applicants shall sign a memorandum of understanding between the agency and the Department establishing the requirements of the applicable State statutes and federal laws for the submission of non-criminal justice fingerprint transactions to the Department or the Federal Bureau of Investigation (FBI).

b) Fingerprint images, a photograph of the individual being fingerprinted, and related alpha numeric identification data shall be submitted to the Department via electronic transmission utilizing Live Scan procedures and equipment approved by the Department. The photograph provision will be waived for applicants with a physical disability or ailment that could result in the taking of a photograph causing the applicant harm in any way.

c) A law enforcement agency's equipment and transmission of all types of transactions shall be certified by the Department as being compatible with the Department's systems (see 68 Ill. Adm. Code 1240).

d) All employees responsible for taking fingerprints for the purposes of the Act shall require each individual seeking to be fingerprinted to present primary or secondary identification in order to be fingerprinted by the agency.

1) Primary identification shall mean a valid driver's license or Secretary of State issued State identification card.

2) In the absence of a driver's license or State identification card, secondary identification shall mean the individual seeking to be fingerprinted shall provide at least two forms of identification within the Identity Verification Program Guide (2006) developed and available from the National Crime Prevention and Privacy Compact Council from the FBI website (http://www.fbi.gov/about-us/cjis/cc/current-initiatives/identity-verification-program-guide).

e) All FCCL applicants who submit an EFFA shall be required to sign a consent form prior to fingerprinting. The privacy statement within the consent form shall be approved by the Department.

f) Agencies must maintain a record of all documentation and non-criminal justice transactions submitted to the Department for the purpose of auditing by the Department or the FBI and make its records available for that auditing.

g) All employees responsible for taking fingerprints for non-criminal justice purposes shall successfully complete a fingerprint training course conducted or authorized by the Department.

h) Agencies will be required to establish a fiscal account with the Department of State Police-Bureau of Identification for the purpose of facilitating the payment of State and FBI background checks. The agencies will be invoiced monthly for all submissions received by the agency the prior month. The Department will not accept individual payments from the persons printed.