

CHAPTER 1058

COMMERCIAL DRIVER'S LICENSES — MILITARY SERVICE EXPERIENCE

H.F. 2403

AN ACT relating to requirements for a commercial driver's license for certain persons transitioning from military service.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.188, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 6. *a.* The department may waive the requirement that an applicant pass a driving skills test specified in this section for an applicant who is on active duty in the military service, or who has separated from such service in the last ninety days, who certifies that during the two-year period immediately preceding application for a commercial driver's license, all of the following apply:

- (1) The applicant has not had more than one driver's license, other than a military license.
- (2) The applicant has not had any driver's license suspended, revoked, or canceled.
- (3) The applicant has not been convicted of an offense committed while operating any type of motor vehicle that is listed as a disqualifying offense in 49 C.F.R. § 383.51(b).
- (4) The applicant has not had more than one conviction for an offense committed while operating any type of motor vehicle that is listed as a serious traffic violation in 49 C.F.R. § 383.51(c).

(5) The applicant has not had a conviction for a violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident and has no record of a traffic accident in which the applicant was at fault.

b. An applicant for a waiver of the driving skills test under this subsection shall certify and provide evidence as required by the department that the following apply:

(1) The applicant is regularly employed or was regularly employed within the last ninety days in a military position requiring operation of a commercial motor vehicle.

(2) The applicant was exempt from commercial driver licensing requirements pursuant to section 321.176A, subsection 3, or a comparable law of another state implementing 49 C.F.R. § 383.3(c).

(3) The applicant was operating a motor vehicle representative of the class of motor vehicle the applicant operates or expects to operate for at least two years immediately preceding honorable separation from military service as evidenced by the person's certificate of release or discharge from active duty, commonly referred to as a DD214.

c. An applicant who obtains a skills test waiver under this subsection shall take and successfully pass the knowledge test required pursuant to subsection 2.¹

Approved April 4, 2012

¹ See chapter 1138, §62 herein