

House File 89 - Introduced

HOUSE FILE _____
BY R. OLSON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a peace officer's statements to a person
2 operating a noncommercial motor vehicle and holding a
3 commercial driver's license who has been requested to submit
4 to a chemical test in an operating=while=intoxicated case.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1563HH 82
7 rh/sh/8

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1 1 Section 1. Section 321J.8, subsection 3, unnumbered
1 2 paragraph 1, Code 2007, is amended to read as follows:
1 3 a. If the person is operating a commercial motor vehicle
1 4 as defined in section 321.1 and either refuses to submit to
1 5 the test or submits to the test and the results indicate an
1 6 alcohol concentration of 0.04 or more, the person is
1 7 disqualified from operating a commercial motor vehicle for the
1 8 applicable period under section 321.208 in addition to any
1 9 revocation of the person's driver's license or nonresident
1 10 operating privilege which may be applicable under this
1 11 chapter.
1 12 b. If the person is operating a noncommercial motor
1 13 vehicle and holding a commercial driver's license as defined
1 14 in section 321.1 and either refuses to submit to the test or
1 15 operates a motor vehicle while under the influence of an
1 16 alcoholic beverage or other drug or controlled substance or a
1 17 combination of such substances, the person is disqualified
1 18 from operating a commercial motor vehicle for the applicable
1 19 period under section 321.208 in addition to any revocation of
1 20 the person's driver's license or nonresident operating
1 21 privilege which may be applicable under this chapter.

1 22 EXPLANATION

1 23 This bill relates to a peace officer's statements to a
1 24 person operating a noncommercial motor vehicle and holding a
1 25 commercial driver's license who has been requested to submit
1 26 to a chemical test in an operating=while=intoxicated case.
1 27 The bill provides that in such a case, a person who either
1 28 refuses to submit to the test or operates a motor vehicle
1 29 while under the influence of an alcoholic beverage or other
1 30 drug or controlled substance or a combination of such
1 31 substances, is disqualified from operating a commercial motor
1 32 vehicle for a one-year period in addition to any revocation of
1 33 the person's driver's license or nonresident operating
1 34 privilege which may be applicable under Code chapter 321J.
1 35 LSB 1563HH 82
2 1 rh:nh/sh/8