

Judiciary and Law Enforcement: Smalley, Chair; Poffenberger, Trucano, Doderer and Welsh.

SENATE FILE 2197

BY COMMITTEE ON JUDICIARY

(FORMERLY SSB 2144)

(Approved 2/22 (p. 477))

FILED FEB 22 1982

Passed Senate, Date 3-8-82 (p. 631) Passed House, Date 3-29-82 (p. 1078)

Vote: Ayes 40 Nays 0 Vote: Ayes 91 Nays 0

Approved April 6, 1982 (p. 1066)

A BILL FOR

1 An Act relating to license and permit suspensions and
2 revocations by certain juvenile offenders and permitting
3 the taking of tests to determine the alcoholic content of
4 blood of certain juveniles taken into custody.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Chapter 321, Code 1981, is amended by adding
2 the following new section in the division pertaining to
3 cancellation, suspension, or revocation of licenses:

4 NEW SECTION. LICENSE SUSPENSIONS OR REVOCATIONS DUE TO
5 VIOLATIONS BY JUVENILE DRIVERS. Upon the entering of an order
6 at the conclusion of an adjudicatory hearing under section
7 232.47 that the child violated a provision of chapter 321
8 or 321A for which the penalty is greater than a simple misde-
9 meanor, or that the child refused to submit to chemical testing
10 under section 321B.3, the clerk of the juvenile court in the
11 adjudicatory hearing shall forward a copy of the adjudication
12 to the department. Notwithstanding section 232.55, a final
13 adjudication in a juvenile court that the child violated a
14 provision of chapter 321 or 321A constitutes a final conviction
15 of a violation of a provision of chapter 321 or 321A for
16 purposes of section 321.189, subsection 2, paragraph b, and
17 sections 321.193, 321.194, 321.200, 321.209, 321.210, 321.215,
18 and 321A.17. Notwithstanding section 232.55, the director
19 shall revoke the license or permit of a child under section
20 321B.7 upon receipt of a copy of the final adjudication in
21 a juvenile court that the child refused to submit to chemical
22 testing under section 321B.3.

23 Sec. 2. Section 321B.2, Code 1981, is amended by adding
24 the following new unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. As used in this chapter, "arrest"
26 includes but is not limited to taking into custody pursuant
27 to section 232.19.

28 EXPLANATION

29 This bill requires clerks of juvenile courts to forward
30 to the department copies of juvenile court adjudications of
31 violations of chapter 321 or 321A other than simple
32 misdemeanors and of adjudications that a child refused to
33 submit to chemical testing under section 321B.3. For purposes
34 of sections relating to cancellation, revocation, and
35 suspension of licenses and permits for the operation of motor

1 vehicles, the juvenile court adjudications constitute final
2 convictions of the violations of chapter 321 or 321A. Also,
3 the director of transportation shall revoke the license or
4 permit of a child adjudicated in a juvenile hearing of having
5 refused to submit to chemical testing. Section 2 allows the
6 taking of tests to determine the alcoholic content of the
7 blood of juveniles who have been taken into custody under
8 section 232.19 for the offense of operating a motor vehicle
9 while under the influence of an alcoholic beverage. The bill
10 takes effect July 1 following its enactment.

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SENATE FILE 2197

AN ACT

RELATING TO LICENSE AND PERMIT SUSPENSIONS AND REVOCATIONS
BY CERTAIN JUVENILE OFFENDERS AND PERMITTING THE TAKING
OF TESTS TO DETERMINE THE ALCOHOLIC CONTENT OF BLOOD OF
CERTAIN JUVENILES TAKEN INTO CUSTODY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Chapter 321, Code 1981, is amended by adding
the following new section in the division pertaining to
cancellation, suspension, or revocation of licenses:

NEW SECTION. LICENSE SUSPENSIONS OR REVOCATIONS DUE TO
VIOLATIONS BY JUVENILE DRIVERS. Upon the entering of an order
at the conclusion of an adjudicatory hearing under section
232.47 that the child violated a provision of chapter 321
or 321A for which the penalty is greater than a simple misde-
meanor, or that the child refused to submit to chemical testing
under section 321B.3, the clerk of the juvenile court in the
adjudicatory hearing shall forward a copy of the adjudication
to the department. Notwithstanding section 232.55, a final
adjudication in a juvenile court that the child violated a
provision of chapter 321 or 321A constitutes a final conviction
of a violation of a provision of chapter 321 or 321A for
purposes of section 321.189, subsection 2, paragraph b, and
sections 321.193, 321.194, 321.200, 321.209, 321.210, 321.215,
and 321A.17. Notwithstanding section 232.55, the director
shall revoke the license or permit of a child under section
321B.7 upon receipt of a copy of the final adjudication in
a juvenile court that the child refused to submit to chemical
testing under section 321B.3.

Sec. 2. Section 321B.2, Code 1981, is amended by adding
the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. As used in this chapter, "arrest"
includes but is not limited to taking into custody pursuant
to section 232.19.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2197, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 6, 1982

ROBERT D. RAY
Governor

S.F. 2197