

## **HF 210: SUBCOMMITTEE COMMENTS**

**To:** Rep. Siegrist, Rep. Maxwell, and Rep. Meyer

**From:** Caitlin Jarzen, Director of Governmental Affairs, Iowa Judicial Branch

**Registration:** Undecided

**Date:** February 9, 2021

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Thank you for the opportunity to provide written comments on HF 210. My comments pertain to the following language, found in section 1 of the bill:

For violations of this section . . . the person may attend and successfully complete . . . a driver improvement program . . . in lieu of the fine imposed under section 805.8A, subsection 14, paragraph 10 “h”, subparagraph (2). To be eligible, the person shall notify the clerk of court prior to the date of the person’s court appearance as indicated on the citation that the person intends to attend and successfully complete a driver improvement program, and shall submit to the clerk of court written verification that the person completed the driver improvement program, signed by the instructor of the program, within ninety days of the violation.

If a person notifies the clerk that they elect to complete a driver education course in lieu of a fine, it is unclear what happens if the person does not provide notice of completing the class within 90 days. If the person had not elected to take the driver education course and failed to timely pay the fine, it would become delinquent after 30 days and there are clear processes in the Code for how to address delinquent court debt. It is unclear what the intent is regarding how to handle delinquency in completing the class (in lieu of a fine) and notifying the clerk. If the person failed to provide notice of completing the class within 120 days (the 90 days allowed, plus 30 to become delinquent), would the person’s selection of the class revert to the fine and be deemed delinquent?

It would help to have clarity on the intended implementation and administration of this bill. Please do not hesitate to contact me to discuss this further:

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