

Sec. 4. NEW SECTION. 543B.48 CIVIL PENALTY AMOUNT.

Notwithstanding section 272C.3, licensee discipline may include a civil penalty not to exceed two thousand five hundred dollars per violation.

Approved March 29, 2002

CHAPTER 1032

COUNTY ISSUANCE OF DRIVER'S LICENSES, NONOPERATOR IDENTIFICATION CARDS, AND PERSONS WITH DISABILITIES IDENTIFICATION DEVICES

S.F. 2156

AN ACT authorizing all counties not served by a permanent state department of transportation facility to issue driver's licenses, nonoperator identification cards, and persons with disabilities identification devices under certain conditions.

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

Section 1. Section 321.186, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The department may examine every new applicant for a driver's license or any person holding a valid driver's license when the department has reason to believe that the person may be physically or mentally incompetent to operate a motor vehicle, or whose driving record appears to the department to justify the examination. ~~The examinations shall be held in every county within periods not to exceed fifteen days except that the driving skills test for a commercial driver's license shall be given only at locations where required driving skills may be adequately tested, including pretrip and off-road examinations.~~ The department shall make every effort to accommodate a functionally illiterate applicant when the applicant is taking a knowledge test. The department shall make every effort to have an examiner conduct the commercial driver's license driving skills tests at other locations in this state where skills may be adequately tested when requested by a person representing ten or more drivers requiring driving skills testing.

Sec. 2. Section 321M.1, Code Supplement 2001, is amended to read as follows:
321M.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. ~~"Cluster" means a group of four to six contiguous counties serving a population area comparable to an area served by a department itinerant team, that is subject to an agreement among the participating counties that is executed pursuant to chapter 28E.~~

2. 1. "Commercial driver's license" means a driver's license valid for the operation of a commercial motor vehicle, as regulated by chapter 321.

3. 2. "County issuance" means the system or process of issuing driver's licenses, nonoperator identification cards, and persons with disabilities identification devices, including all related testing, to the same extent that such items are issued by the department.

4. 3. "Department" means the state department of transportation.

5. 4. "Digitized photolicensing equipment" means the machines and related materials, obtained pursuant to contract, the use of which results in the on-site production of driver's licenses and nonoperator identification cards.

6. ~~“Digitized photolicensing equipment contract period” means the period of time that the contract for the digitized photolicensing equipment is in effect, including any contract extensions elected by the department under the terms of the contract.~~

7. ~~5.~~ “Driver’s license” means any license or permit issued to a person to operate a motor vehicle on the highways of this state, including but not limited to a driver’s, commercial driver’s, temporary restricted, or temporary license and an instruction, chauffeur’s instruction, commercial driver’s instruction, or temporary permit.

8. ~~“Initial opt-in period” means the first opportunity for a county to indicate its interest in being authorized to participate in county issuance.~~

9. ~~6.~~ “Issuing county” means a county that is participating in county issuance.

10. ~~“Itinerant team” means a traveling team of department personnel assigned to license issuance activities in a specified geographic area.~~

11. ~~7.~~ “Motor vehicle” means a vehicle which is self-propelled, including but not limited to automobiles, cars, motor trucks, semitrailers, motorcycles, and similar vehicles regulated under chapter 321.

12. ~~8.~~ “Nonoperator identification card” means the card issued pursuant to section 321.190 that contains information pertaining to the personal characteristics of the applicant but does not convey to the person issued the card any operating privileges for any motor vehicle.

13. ~~“Opt in” means a county’s indication of its interest in being authorized to participate in county issuance, or to continue participating in county issuance.~~

14. ~~“Opt-in period” means a time period when a county may indicate its interest in being authorized to participate in county issuance, or to continue participating in county issuance.~~

15. ~~“Opt out” means the choice of a county that is authorized to issue licenses to terminate that authorization and its participation in county issuance.~~

16. ~~“Opt-out period” means a time period when a county that is authorized to issue licenses may terminate that authorization and its future participation in county issuance.~~

17. ~~9.~~ “Persons with disabilities identification devices” means those devices issued pursuant to chapter 321L.

Sec. 3. Section 321M.3, Code 2001, is amended by striking the section and inserting in lieu thereof the following:

321M.3 AUTHORIZATION TO ISSUE LICENSES.

Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Cass, Cedar, Cherokee, Chickasaw, Clarke, Clayton, Crawford, Dallas, Davis, Decatur, Delaware, Dickinson, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Henry, Howard, Humboldt, Ida, Iowa, Jackson, Jasper, Jefferson, Jones, Keokuk, Kossuth, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Mills, Mitchell, Monona, Monroe, Montgomery, O’Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Poweshiek, Ringgold, Sac, Shelby, Sioux, Tama, Taylor, Union, Van Buren, Warren, Washington, Wayne, Winnebago, Winneshiek, Worth, and Wright counties shall be authorized to issue driver’s licenses, nonoperator identification cards, and persons with disabilities identification devices on a permanent basis, provided that such counties continue to meet the department’s standards for issuance.

Sec. 4. Section 321M.4, Code 2001, is amended by striking the section and inserting in lieu thereof the following:

321M.4 TERMINATION OF AUTHORIZATION — FAILURE TO MEET STANDARDS.

1. If a county is subject to termination of its county issuance authorization for failure to meet the department’s standards for issuance, the county shall not issue driver’s licenses, nonoperator identification cards, or persons with disabilities identification devices until the county has been reauthorized by the department.

2. The department is not obligated to provide service in a county for issuance of driver’s li-

censes, nonoperator identification cards, or persons with disabilities identification devices if the county fails to meet the department's standards for issuance.

Sec. 5. Section 321M.5, subsection 2, paragraphs e and f, Code 2001, are amended by striking the paragraphs.

Sec. 6. Section 321M.6, subsection 2, paragraph c, Code 2001, is amended to read as follows:

c. The department provides supervision over the issuance of commercial driver's licenses, including the administration of written and driving skills tests by the office of the county treasurer. However, the failure of the department to provide appropriate supervision shall not alone be used as a reason to deny certification.

Sec. 7. Section 321M.6, subsection 4, Code 2001, is amended to read as follows:

4. ~~The issuance of commercial driver's licenses for residents of a county whose issuance rights have been terminated under subsection 3 may be provided by other counties in the relevant cluster, according to the provisions of section 321M.5. The department is not obligated to provide service in a county for issuance of commercial driver's licenses if the county fails to meet certification standards under this section. However, the department shall facilitate appropriate arrangements for availability of such services as it deems necessary.~~

Sec. 8. Section 321M.9, subsection 2, paragraph b, Code 2001, is amended to read as follows:

b. An issuing county shall be entitled to one set of digitized photolicensing equipment, unless the county was served at multiple sites by the department, in which case the county shall be entitled to two sets of digitized photolicensing equipment. ~~A county shall indicate at the time of opting in how many sets of equipment are needed by the county.~~

Sec. 9. Section 321M.10, subsection 1, Code 2001, is amended to read as follows:

1. The department shall retain all supervisory authority over the county treasurers who shall be subject to the supervision of the department and driver's license issuance program. The county treasurers and their employees shall be considered agents of the department when performing driver's licensing functions.

Sec. 10. Section 321M.8, Code 2001, is repealed.

Approved March 29, 2002

CHAPTER 1033

STATE HEALTH INSURANCE PLANS — ADMINISTRATION COSTS

S.F. 2167

AN ACT establishing a health insurance administration fund relating to the payment of the administrative costs of state health insurance plans and providing for its prospective repeal.

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

Section 1. NEW SECTION. 19A.12F HEALTH INSURANCE ADMINISTRATION FUND.

1. A special fund is created in the office of the treasurer of state, separate and apart from