321.208A Operation in violation of out-of-service order — penalties.

1. A person required to hold a commercial driver’s license or commercial learner’s permit to operate a commercial motor vehicle shall not operate a commercial motor vehicle on the highways of this state in violation of an out-of-service order issued by a peace officer for a violation of the out-of-service rules adopted by the department. A driver who violates an out-of-service order commits a simple misdemeanor and shall be subject to a fine of not less than two thousand five hundred dollars upon conviction for the first violation of an out-of-service order and not less than five thousand dollars for a second or subsequent violation of an out-of-service order in separate incidents within a ten-year period.

2. An employer shall not knowingly allow, require, permit, or authorize an employee to drive a commercial motor vehicle in violation of an out-of-service order. An employer who violates this subsection commits a simple misdemeanor and shall be subject to a fine of not less than two thousand seven hundred fifty dollars and not more than twenty-five thousand dollars.