

321.218 Operating without valid driver's license or when disqualified — penalties.

1. A person whose driver's license or operating privilege has been denied, canceled, suspended, or revoked as provided in [this chapter](#) or as provided in [section 252J.8](#), and who operates a motor vehicle upon the highways of this state while the license or privilege is denied, canceled, suspended, or revoked, commits a simple misdemeanor. In addition to any other penalties, the punishment imposed for a violation of [this subsection](#) shall include assessment of a fine of not less than two hundred fifty dollars nor more than one thousand five hundred dollars.

2. The sentence imposed under [this section](#) shall not be suspended by the court, notwithstanding [section 907.3](#) or any other statute.

3. *a.* The department, upon receiving the record of the conviction of a person under [this section](#) upon a charge of operating a motor vehicle while the license of the person is suspended or revoked, shall, except for licenses suspended under [section 252J.8](#), [321.210](#), [subsection 1](#), paragraph "a", subparagraph (3), or [section 321.210A](#) or [321.513](#), extend the period of suspension or revocation for an additional like period or for one year, whichever period is shorter, and the department shall not issue a new driver's license to the person during the extended period.

b. If the department receives a record of a conviction of a person under [this section](#) but the person's driving record does not indicate what the original grounds of suspension were, the period of suspension under [this subsection](#) shall be for a period not to exceed six months.

4. A person who operates a commercial motor vehicle upon the highways of this state when disqualified from operating the commercial motor vehicle under [section 321.208](#) or the imminent hazard provisions of [49 C.F.R. §383.52](#) commits a serious misdemeanor if a commercial driver's license or commercial learner's permit is required for the person to operate the commercial motor vehicle.

5. The department, upon receiving the record of a conviction of a person under [this section](#) upon a charge of operating a commercial motor vehicle while the person is disqualified, shall extend the period of disqualification for an additional like period or for the time period specified in [section 321.208](#), whichever is longer.

[C31, 35, §4960-d34, -d51; C39, §**5015.03**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.218; [82 Acts, ch 1167, §4](#)]

[84 Acts, ch 1142, §1](#); [85 Acts, ch 195, §36](#); [86 Acts, ch 1220, §34](#); [89 Acts, ch 83, §43](#); [90 Acts, ch 1230, §60](#); [93 Acts, ch 164, §4](#); [95 Acts, ch 48, §4](#); [96 Acts, ch 1090, §6, 7](#); [97 Acts, ch 104, §17](#); [98 Acts, ch 1073, §9](#); [99 Acts, ch 153, §2](#); [2005 Acts, ch 8, §28](#); [2006 Acts, ch 1030, §36](#); [2009 Acts, ch 130, §12](#); [2010 Acts, ch 1061, §174](#); [2015 Acts, ch 123, §69](#); [2018 Acts, ch 1172, §100, 104](#)

Referred to in [§321.211A](#), [321.241](#), [321J.4B](#), [321N.3](#)

2018 amendment takes effect July 1, 2018; Code editor received notice that the governor submitted the written certifications required by [2018 Acts, ch 1172](#), to the United States secretary of transportation on that date; [2018 Acts, ch 1172, §104](#)

Subsection 1 amended