

**321J.20 Temporary restricted license — ignition interlock devices.**

1. The department may, on application, issue a temporary restricted license to a person whose noncommercial driver's license is revoked under [this chapter](#), or revoked or suspended under [chapter 321](#) solely for violations of this chapter, or who has been determined to be a habitual offender under [chapter 321](#) based solely on violations of [this chapter](#) or on violations listed in [section 321.560, subsection 1](#), paragraph "b", allowing the person to operate a motor vehicle in any manner allowed for a person issued a valid class C driver's license, unless otherwise prohibited by [this chapter](#). [This subsection](#) does not apply to a person whose license was revoked under [section 321J.2A](#), to a person whose license was revoked under [section 321J.4, subsection 6](#), for the period during which the person is ineligible for a temporary restricted license, or to a person whose license is suspended or revoked for another reason.

2. A temporary restricted license issued under [this section](#) shall not be issued until the applicant installs an approved ignition interlock device on all motor vehicles owned or operated by the applicant. Installation of an ignition interlock device under [this section](#) shall be required for the period of time for which the temporary restricted license is issued, and for such additional period of time following reinstatement as is required under [section 321J.17, subsection 3](#). However, a person whose driver's license or nonresident operating privilege has been revoked under [section 321J.21](#) may apply to the department for a temporary restricted license without the requirement of an ignition interlock device if at least twelve years have elapsed since the end of the underlying revocation period for a violation of [section 321J.2](#).

3. In addition to other penalties provided by law, a person's temporary restricted license shall be revoked if the person is required to install an ignition interlock device or participate in a program established pursuant to [chapter 901D](#) and the person does any of the following:

- a. Operates a motor vehicle which does not have an approved ignition interlock device.
- b. Operates a motor vehicle while not in compliance with the program.
- c. Tamper with or circumvents an ignition interlock device.

4. A person holding a temporary restricted license issued by the department under [this section](#) shall not operate a commercial motor vehicle on a highway if a commercial driver's license or commercial learner's permit is required for the person's operation of the commercial motor vehicle.

5. A person holding a temporary license issued by the department under [this chapter](#) shall be prohibited from operating a school bus.

6. Notwithstanding any provision of [this chapter](#) to the contrary, the department may issue a temporary restricted license to a person otherwise eligible for a temporary restricted license under [this section](#), whose period of revocation under [this chapter](#) has expired, but who has not met all requirements for reinstatement of the person's driver's license or nonresident operating privileges.

7. A person who tampers with or circumvents an ignition interlock device installed as required in [this chapter](#) and while the requirement for the ignition interlock device is in effect commits a serious misdemeanor.

8. Notwithstanding any provision of [this chapter](#) to the contrary, the department may issue a temporary restricted license to a person eligible for a temporary restricted license under [this section](#) if the person is also eligible for a temporary restricted license under [section 321.215](#), provided the requirements of [this section](#) and [section 321.215](#) are satisfied.

9. Notwithstanding any other provision of law to the contrary, in any circumstance in which [this chapter](#) requires the installation of an ignition interlock device in all vehicles owned or operated by a person as a condition of the person's license or privilege to operate noncommercial motor vehicles, the department shall require the person to be a participant in and in compliance with a sobriety and drug monitoring program established pursuant to [chapter 901D](#) if the person's offense under [this chapter](#) qualifies as an eligible offense as defined in [section 901D.2](#), and the person's offense occurred in a participating jurisdiction, as defined in [section 901D.2](#). [This subsection](#) shall not apply if the court enters an order finding the person is not required to participate in a sobriety and drug monitoring program. The department, in consultation with the department of public safety, may adopt rules for

issuing and accepting a certification of participation in and compliance with a program established pursuant to [chapter 901D](#). [This subsection](#) shall be construed and implemented to comply with 23 U.S.C. §164(a), as amended by the federal Fixing America's Surface Transportation Act, Pub. L. No. 114-94, §1414, and shall not apply if such application results in a finding of noncompliance with 23 U.S.C. §164 that results or will result in a reservation or transfer of funds pursuant to 23 U.S.C. §164(b). [This subsection](#) shall not authorize the operation of a motor vehicle for any purpose not otherwise authorized by [this chapter](#).

[86 Acts, ch 1220, §20; 90 Acts, ch 1230, §87, 88; 95 Acts, ch 48, §21; 95 Acts, ch 143, §7; 97 Acts, ch 177, §18 – 20; 98 Acts, ch 1073, §9, 12; 98 Acts, ch 1138, §5, 36, 37; 2000 Acts, ch 1133, §17; 2003 Acts, ch 60, §7; 2007 Acts, ch 196, §6; 2010 Acts, ch 1061, §180; 2010 Acts, ch 1097, §11; 2013 Acts, ch 103, §16, 17; 2015 Acts, ch 123, §36, 73; 2016 Acts, ch 1011, §54; 2017 Acts, ch 76, §13 – 16; 2018 Acts, ch 1026, §117; 2018 Acts, ch 1110, §8, 9](#)

Referred to in [§321.215, 321.560, 321J.2](#)

For future repeal, effective July 1, 2022, of 2017 amendments to this section, see 2017 Acts, ch 76, §17

2018 amendment by 2018 Acts, ch 1110, §8 applies to all persons who apply for or are issued a temporary restricted license under chapter 321J on or after July 1, 2018; the department of transportation shall allow a person issued a temporary restricted license prior to July 1, 2018, that is subject to the restrictions provided in former subsection 1, paragraph a, and former subsection 2, paragraph a, to apply for and be issued a temporary restricted license subject to the restrictions provided in 2018 Acts, ch 1110; 2018 Acts, ch 1110, §9

Subsections 1 – 3 amended

Subsection 4 stricken and former subsections 5 – 10 renumbered as 4 – 9