

**321.187 Examiners.**

1. The department shall examine applicants for driver's licenses. Examiners of the department shall wear an identifying badge and uniform provided by the department.

2. The department may by rule designate community colleges established under [chapter 260C](#) and other third-party testers to administer the driving skills test required for a commercial driver's license, provided that all of the following occur:

a. The driving skills test is the same as that which would otherwise be administered by the state.

b. The third-party tester contractually agrees to comply with the requirements of [49 C.F.R. §383.75](#) as adopted by rule by the department.

c. Any third-party skills test examiner used by the third-party tester shall meet the requirements of [49 C.F.R. §383.75](#) and [49 C.F.R. §384.228](#), as adopted by rule by the department. The department shall adopt rules requiring that a third-party tester, other than a community college established under [chapter 260C](#), shall be an Iowa-based motor carrier, or its subsidiary, that has its principal office within this state and operates a permanent commercial driver training facility in this state, or an Iowa nonprofit corporation that serves as a trade association for Iowa-based motor carriers. The rules may also provide that a third-party tester conduct a number of skills test examinations above the number required under [49 C.F.R. §383.75](#) in order to remain qualified as a third-party tester under [this section](#).

3. As used in [this section](#), "*third-party tester*" and "*third-party skills test examiner*" mean as defined in [49 C.F.R. §383.5](#).

[C31, 35, §4960-d17; C39, §**5013.13**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.187] [90 Acts, ch 1230, §33](#); [98 Acts, ch 1073, §10](#); [99 Acts, ch 96, §29](#); [2014 Acts, ch 1123, §13, 25](#); [2019 Acts, ch 41, §1](#)

Referred to in [§321.1A](#)

Subsection 2, paragraph c amended