

321.186 Examination of new or incompetent operators.

1. 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 department shall make every effort to accommodate a functionally illiterate applicant when the applicant is taking a knowledge test.

2. The examination shall include a screening of the applicant's eyesight, a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic, a test of the applicant's knowledge of the traffic laws of this state, an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle, and other physical and mental examinations as the department finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways. However, an applicant for a new driver's license need not pass a vision test administered by the department if the applicant files with the department a vision report in accordance with [section 321.186A](#) which shows that the applicant's visual acuity level meets or exceeds those required by the department.

3. A physician licensed under [chapter 148](#), an advanced registered nurse practitioner licensed under [chapter 152](#), a physician assistant licensed under [chapter 148C](#), or an optometrist licensed under [chapter 154](#) may report to the department the identity of a person who has been diagnosed as having a physical or mental condition which would render the person physically or mentally incompetent to operate a motor vehicle in a safe manner. The physician, advanced registered nurse practitioner, physician assistant, or optometrist shall make reasonable efforts to notify the person who is the subject of the report, in writing. The written notification shall state the nature of the disclosure and the reason for the disclosure. A physician, advanced registered nurse practitioner, physician assistant, or optometrist making a report under [this section](#) shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed as a result of the report. A physician, advanced registered nurse practitioner, physician assistant, or optometrist has no duty to make a report or to warn third parties with regard to any knowledge concerning a person's mental or physical competency to operate a motor vehicle in a safe manner. Any report received by the department from a physician, advanced registered nurse practitioner, physician assistant, or optometrist under [this section](#) shall be kept confidential. Information regulated by [chapter 141A](#) shall be subject to the confidentiality provisions and remedies of that chapter.

[C31, 35, §4960-d14; C39, §**5013.12**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.186] 90 Acts, ch 1230, §31; 92 Acts, ch 1175, §32; 98 Acts, ch 1029, §1; 98 Acts, ch 1073, §9; 99 Acts, ch 181, §16; 2002 Acts, ch 1032, §1; 2008 Acts, ch 1088, §119; 2011 Acts, ch 5, §1; 2012 Acts, ch 1021, §67; 2015 Acts, ch 56, §23; 2021 Acts, ch 135, §2, 3, 8

Referred to in [§321.180](#), [321.180A](#), [321.180B](#)

2021 amendments to section effective January 1, 2022; 2021 Acts, ch 135, §8

Subsection 1 amended

Subsection 2 stricken and former subsections 3 and 4 renumbered as 2 and 3