

321J.17 Civil penalty — disposition — conditions for license reinstatement.

1. If the department revokes a person's driver's license or nonresident operating privilege under [this chapter](#), the department shall assess the person a civil penalty of two hundred dollars. The money collected by the department under [this section](#) shall be transmitted to the treasurer of state who shall deposit one-half of the money in the separate fund established in [section 915.94](#) and one-half of the money in the general fund of the state. A temporary restricted license shall not be issued unless an ignition interlock device has been installed pursuant to [section 321J.4](#). Except as provided in [section 321.210B](#), a temporary restricted license shall not be issued or a driver's license or nonresident operating privilege reinstated until the civil penalty has been paid. A person assessed a penalty under [this section](#) may remit the civil penalty along with a processing fee of five dollars to a county treasurer authorized to issue driver's licenses under [chapter 321M](#), or the civil penalty may be paid directly to the department.

2. *a.* If the department or a court orders the revocation of a person's driver's license or nonresident operating privilege under [this chapter](#), the department or court shall also order the person, at the person's own expense, to do the following:

(1) Enroll, attend, and satisfactorily complete a course for drinking drivers, as provided in [section 321J.22](#).

(2) Submit to evaluation and treatment or rehabilitation services.

b. The court or department may request that the community college or substance use disorder treatment providers licensed under [chapter 125](#) or other approved provider conducting the course for drinking drivers that the person is ordered to attend immediately report to the court or department that the person has successfully completed the course for drinking drivers. The court or department may request that the treatment program which the person attends periodically report on the defendant's attendance and participation in the program, as well as the status of treatment or rehabilitation.

c. A driver's license or nonresident operating privilege shall not be reinstated until proof of completion of the requirements of [this subsection](#) is presented to the department.

3. *a.* The department shall also require certification of installation of an ignition interlock device of a type approved by the commissioner of public safety on all motor vehicles operated by a person seeking reinstatement following a second or subsequent revocation under [this chapter](#), or following a conviction for violating [section 321J.21](#).

b. Unless otherwise extended under [this chapter](#), the requirement for the installation of an approved ignition interlock device shall be for one year from the date of reinstatement unless a longer time period is required by statute.

c. The period of time a person is required to maintain an ignition interlock device under [this subsection](#) shall be reduced by any period of time the person held a valid temporary restricted license during the period of the revocation for the occurrence from which the arrest arose.

d. The period of time a person is required to maintain an ignition interlock device under [this subsection](#) shall be increased if required in accordance with the compliance-based removal procedures provided in [section 321J.17A](#).

e. A person shall not operate any motor vehicle which is not equipped with an approved ignition interlock device during the period in which an ignition interlock device must be maintained, and the department shall not grant reinstatement unless the person certifies installation of an ignition interlock device as required in [this subsection](#). In addition to other penalties provided by law, the department shall revoke the driver's license of a person who is required to maintain an ignition interlock device if the person operates a motor vehicle which does not have an approved ignition interlock device or removes the ignition interlock device without authorization.

f. The department shall adopt rules pursuant to [chapter 17A](#) to implement [this subsection](#).

86 Acts, ch 1220, §17; 87 Acts, ch 232, §24; 87 Acts, ch 234, §113; 89 Acts, ch 317, §37; 91 Acts, ch 258, §50; 93 Acts, ch 110, §1; 95 Acts, ch 143, §6; 97 Acts, ch 177, §17; 98 Acts, ch 1073, §9; 98 Acts, ch 1075, §25; 98 Acts, ch 1090, §67, 84; 2000 Acts, ch 1118, §2; 2002 Acts, ch 1119, §155; 2008 Acts, ch 1018, §25, 31; 2010 Acts, ch 1097, §10; 2011 Acts, ch 20, §16;

2013 Acts, ch 103, §15; 2014 Acts, ch 1092, §85; 2023 Acts, ch 19, §1072; 2024 Acts, ch 1050, §6, 10, 11

Referred to in §321.210B, 321J.3, 321J.17A, 321J.20, 321J.22, 321M.9, 331.557A

2024 amendment to subsection 3 effective January 1, 2025, and applies to driver's license revocations under chapter 321J for which the underlying offense occurred on or after that date; 2024 Acts, ch 1050, §10, 11