

**761—607.39 (321) Disqualification.**

**607.39(1) *Date.*** A disqualifying act, action or offense under Iowa Code section 321.208, that occurred before July 1, 1990, shall not be grounds for disqualification from operating a commercial motor vehicle.

**607.39(2) *Notice.*** A 30-day advance notice of disqualification shall be served by the department in accordance with rule 761—615.37(321). Pursuant to Iowa Code subsection 321.208(12), a peace officer on behalf of the department may serve the notice of disqualification immediately.

**607.39(3) *Hearing and appeal process.*** A person who has received a notice of disqualification may contest the disqualification in accordance with 761—615.38(17A,321).

**607.39(4) *Reduction of lifetime disqualification.*** Reserved.

This rule is intended to implement Iowa Code chapter 17A and section 321.208.

[ARC 2530C, IAB 5/11/16, effective 6/15/16]