

761—620.17(321J) Sobriety and drug monitoring program. When the department revokes a person's driver's license under Iowa Code chapter 321J, and the person seeks a temporary restricted license, or the person seeks reinstatement of the person's driver's license under Iowa Code section 321J.17, the department shall, if applicable, require the person to participate in and comply with the sobriety and drug monitoring program.

620.17(1) *Condition of license.* Participation in and compliance with the sobriety and drug monitoring program shall be a condition of the license if all of the following apply:

a. The person committed an eligible offense as defined in Iowa Code section 901D.2(4). A first offense means the person has no previous revocation under Iowa Code chapter 321J, and a second or subsequent offense means the person has had a previous revocation under Iowa Code chapter 321J.

b. The eligible offense was committed in a participating jurisdiction.

620.17(2) *Duration.* Unless otherwise provided in Iowa Code chapter 901D or Iowa Code section 321J.20, the person shall be required to participate in the sobriety and drug monitoring program for the length of time that an ignition interlock device is required as provided in Iowa Code section 321J.20.

620.17(3) *Excuse from participation and compliance.* Participation in and compliance with the sobriety and drug monitoring program shall not be required as a condition of the person's driver's license if the court enters an order finding the person is not required to participate in and comply with the program.

620.17(4) *Cancellation.* If the department is notified that a person required to participate in the sobriety and drug monitoring program has not completed enrollment in the program, the department shall cancel the person's driver's license in accordance with the department's existing provisions for cancellation of a license.

620.17(5) *Noncompliance.* If the department is notified pursuant to Iowa Code section 901D.9 that a person required to participate in the sobriety and drug monitoring program is no longer in compliance with the program, the department shall revoke the person's driver's license in accordance with the department's existing provisions for revocation of a license.

[ARC 4001C, IAB 9/12/18, effective 10/17/18]