

**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 knowledge and driving skills tests required for a commercial learner's permit or commercial driver's license, provided all of the following occur:

a. The test is the same as that which would otherwise be administered by the state. The fees for administering a commercial driver's license driving skills test as provided in [sections 321.187A](#) and [321M.6A](#) shall not apply to a driving skills test administered by a third-party tester under [this section](#).

b. The third-party tester contractually agrees to comply with the requirements of 49 C.F.R. [pts. 383](#) and [384](#) applicable to third-party knowledge and driving skills testing, as adopted by rule by the department.

c. Any third-party test examiner used by the third-party tester shall meet the requirements of 49 C.F.R. [pts. 383](#) and [384](#) applicable to third-party knowledge and driving skills testing, as adopted by rule by the department. The department shall adopt rules regarding who may qualify as a third-party tester. 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](#). A third-party tester, other than a community college established under [chapter 260C](#), must be one of the following:

(1) 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.

(2) An Iowa nonprofit corporation that serves as a trade association for Iowa-based motor carriers.

(3) A public transit system or regional transit system, as those terms are defined in [section 324A.1](#), in this state.

3. As used in [this section](#):

a. "Third-party test examiner" means a person employed by a third-party tester who is authorized by the department to administer the knowledge and driving skills tests under [this section](#).

b. "Third-party tester" means a person designated by the department to employ knowledge and driving skills test examiners to administer knowledge and driving skills tests under [this section](#).

[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; 2020 Acts, ch 1063, §146; 2021 Acts, ch 135, §4, 8; 2022 Acts, ch 1124, §1

Referred to in [§321.1A](#)

Subsections 2 and 3 amended