

Senate File 2299

H-8144

- 1 Amend Senate File 2299, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, after line 20 by inserting:
4 <Sec. ____ . NEW SECTION. 321J.6A **Mandatory blood**
5 **test — accident involving death.**
6 1. Notwithstanding any other provision of this
7 chapter to the contrary, a person who operates a motor
8 vehicle who is involved in a motor vehicle accident or
9 collision resulting in death shall submit to a chemical
10 test of the person's blood to determine the alcohol
11 concentration or the presence of a controlled substance
12 or other drugs. The investigating peace officer shall
13 cause a test to be administered as soon as practicable
14 following the accident in the same manner as prescribed
15 in section 321J.11.
16 2. The result of the test is admissible at trial if
17 the court, after reviewing all the evidence, whether
18 gathered prior to, during, or after the test, is
19 satisfied that probable cause exists, independent of
20 the test result, to believe that the driver of the
21 motor vehicle was under the influence of an alcoholic
22 beverage or other drug or a combination of such
23 substances at the time of the accident.
24 3. If a person fails to submit to a test under
25 this section the department shall revoke the person's
26 driver's license or any nonresident operating privilege
27 as required by and for the applicable period specified
28 under section 321J.9.>
29 2. Title page, line 2, by striking <and>
30 3. Title page, line 3, after <devices,> by
31 inserting <and mandatory blood testing>
32 4. By renumbering as necessary.

HALL of Woodbury