

House Amendment to
Senate File 2299

S-5091

1 Amend Senate File 2299, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 33, after <testing.> by inserting
4 <A defendant whose alcohol concentration is .08 or more
5 shall be eligible for a temporary restricted license if
6 the person installs an ignition interlock device of a
7 type approved by the commissioner of public safety on
8 all vehicles owned or operated by the defendant if the
9 defendant seeks a temporary restricted license.>

10 2. Page 4, line 32, after <chapter.> by inserting
11 <A defendant whose alcohol concentration is .08 or more
12 shall be eligible for a temporary restricted license if
13 the person installs an ignition interlock device of a
14 type approved by the commissioner of public safety on
15 all vehicles owned or operated by the defendant if the
16 defendant seeks a temporary restricted license.>

17 3. By striking page 7, line 23, through page 9,
18 line 11.

19 4. By striking page 9, line 16, through page 10,
20 line 22, and inserting:

21 <1. a. (1) The department may, on application,
22 issue a temporary restricted license to a person whose
23 noncommercial driver's license is revoked under this
24 chapter allowing the person to drive for any lawful
25 purpose if the person's driver's license has not been
26 revoked previously under section 321J.4, 321J.9, or
27 321J.12.

28 (2) The department may, on application, issue
29 a temporary restricted license to a person whose
30 noncommercial driver's license is revoked under this
31 chapter allowing the person to drive to and from the
32 person's home and specified places at specified times
33 which can be verified by the department and which
34 are required by the person's full-time or part-time
35 employment, continuing health care or the continuing
36 health care of another who is dependent upon the
37 person, continuing education while enrolled in an
38 educational institution on a part-time or full-time
39 basis and while pursuing a course of study leading to a
40 diploma, degree, or other certification of successful
41 educational completion, substance abuse treatment,
42 court-ordered community service responsibilities, and
43 appointments with the person's parole or probation
44 officer if the person's driver's license has not been
45 revoked previously under section 321J.4, 321J.9, or
46 321J.12 and if any of the following apply:

47 ~~(1) (a) The person's noncommercial driver's~~
48 ~~license is revoked under section 321J.4 and the minimum~~
49 ~~period of ineligibility for issuance of a temporary~~
50 ~~restricted license has expired. This subsection~~

1 ~~shall not apply to a revocation ordered under section~~
2 ~~321J.4 resulting from a plea or verdict of guilty~~
3 ~~of a violation of section 321J.2 that involved a~~
4 ~~death except for a revocation under section 321J.4,~~
5 ~~subsection 1, paragraph "c" or "e".~~

6 ~~(2) (b) The person's noncommercial driver's~~
7 ~~license is revoked under section 321J.9 and the person~~
8 ~~has entered a plea of guilty on a charge of a violation~~
9 ~~of section 321J.2 which arose from the same set of~~
10 ~~circumstances which resulted in the person's driver's~~
11 ~~license revocation under section 321J.9 and the~~
12 ~~guilty plea is not withdrawn at the time of or after~~
13 ~~application for the temporary restricted license, and~~
14 ~~the minimum period of ineligibility for issuance of a~~
15 ~~temporary restricted license has expired.~~

16 ~~(3) (c) The person's noncommercial driver's~~
17 ~~license is revoked under section 321J.12, and the~~
18 ~~minimum period of ineligibility for issuance of a~~
19 ~~temporary restricted license has expired.~~

20 ~~b. A temporary restricted license may be issued~~
21 ~~under this subsection if the person's noncommercial~~
22 ~~driver's license is revoked for two years under section~~
23 ~~321J.4, subsection 2, or section 321J.9, subsection 1,~~
24 ~~paragraph "b", and the first three hundred sixty-five~~
25 ~~days of the revocation have expired.>~~

26 5. Page 12, line 10, by striking <subsection
27 subsections 3 and 4> and inserting <subsection 3>

28 6. By renumbering as necessary.