

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

A BILL FOR

1 An Act relating to the enforcement of motor vehicle laws and
2 the regulation of commercial motor vehicles and certain
3 operators by the department of transportation, and including
4 effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180, subsection 2, paragraph c, Code
2 2017, is amended to read as follows:

3 c. A commercial learner's permit shall be valid for a period
4 not to exceed ~~one hundred eighty days~~ the period provided in
5 49 C.F.R. §383.25(c) and 49 C.F.R. §383.73(a)(2)(iii). A
6 ~~commercial learner's permit may be renewed for an additional~~
7 ~~one hundred eighty days without retaking the general and~~
8 ~~endorsement knowledge tests required by section 321.188.~~

9 Sec. 2. Section 321.477, Code 2017, is amended to read as
10 follows:

11 **321.477 Employees as peace officers — maximum age.**

12 1. The department may designate by resolution certain of
13 its employees upon each of whom there is hereby conferred the
14 authority of a peace officer to enforce all laws of the state
15 including but not limited to the rules and regulations of the
16 department. Employees designated as peace officers pursuant
17 to this section shall have the same powers conferred by law on
18 peace officers for the enforcement of the laws of this state
19 and the apprehension of violators.

20 2. Employees designated as peace officers pursuant to this
21 section shall primarily engage in the following enforcement
22 activities:

23 a. The enforcement of federal motor carrier safety
24 regulations and federal motor carrier hazardous materials
25 regulations as adopted in this chapter and in rules adopted by
26 the department under this chapter.

27 b. The regulation of the operating authority of motor
28 carriers.

29 c. The regulation of the movement, safety, and lawful
30 operation of commercial motor vehicles.

31 d. The regulation of the operating authority of commercial
32 motor vehicle operators and the enforcement of traffic and
33 safety laws on operators of commercial motor vehicles.

34 e. The enforcement and performance of other activities
35 necessary for the motor carrier safety assistance program and

1 the high priority program administered under 49 C.F.R. pt.
2 350.

3 f. The investigation and enforcement of matters relating to
4 or arising out of responsibilities entrusted to the department.

5 g. The control and ~~direct~~ direction of traffic and weigh
6 vehicles, and to make arrests for violations of the.

7 h. The enforcement of motor vehicle laws relating to
8 the operating authority, registration, size, weight, and
9 load of motor vehicles and trailers and registration of a
10 motor carrier's interstate transportation service with the
11 department.

12 3. The maximum age for a person employed as a peace officer
13 pursuant to this section is sixty-five years of age.

14 Sec. 3. EFFECTIVE UPON ENACTMENT. The section of this Act
15 amending section 321.477, being deemed of immediate importance,
16 takes effect upon enactment.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 Under current law, commercial learner's permits are valid
21 for 180 days and may be renewed for an additional 180 days
22 without retaking the required general and endorsement knowledge
23 tests. This bill alters that provision to incorporate by
24 reference the validity and renewal periods provided by the
25 code of federal regulations as well as an exemption for state
26 driver's licensing agencies. Although the code of federal
27 regulations specifies the same 180-day validity and renewal
28 periods, state driver's licensing agencies are currently
29 exempted from those periods by the federal motor carrier safety
30 administration, and may instead allow commercial learner's
31 permits to be valid for one year with no renewal period.

32 Current law provides that certain employees of the
33 department of transportation (DOT) may be designated as peace
34 officers authorized to control and direct traffic and weigh
35 vehicles, and to make arrests for violations of the motor

1 vehicle laws relating to the operating authority, registration,
2 size, weight, and load of motor vehicles and trailers, and
3 registration of a motor carrier's interstate transportation
4 service with the DOT.

5 The bill authorizes peace officers employed by the DOT
6 to enforce all laws of the state including but not limited
7 to the rules and regulations of the DOT. The bill requires
8 DOT employees designated as peace officers to primarily
9 engage in the enforcement of federal motor carrier safety
10 regulations and federal motor carrier hazardous materials
11 regulations; the regulation of the operating authority of
12 motor carriers; the regulation of the movement, safety, and
13 lawful operation of commercial motor vehicles; the regulation
14 of the operating authority of commercial motor vehicle
15 operators; the enforcement of traffic and safety laws on
16 operators of commercial motor vehicles; the enforcement and
17 performance of other activities necessary for the motor carrier
18 safety assistance program and the high priority program;
19 the investigation and enforcement of matters relating to or
20 arising out of responsibilities entrusted to the DOT; the
21 control and direction of traffic; and the enforcement of motor
22 vehicle laws relating to the operating authority, registration,
23 size, weight, and load of motor vehicles and trailers. This
24 provision of the bill takes effect upon enactment.