

Senate File 2271 - Enrolled

Senate File 2271

AN ACT

RELATING TO MOTOR CARRIERS, AND MAKING PENALTIES APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 325A.1, subsections 4, 6, and 7, Code 2018, are amended to read as follows:

4. "*Interstate motor carrier number*" means a United States department of transportation number or motor carrier number issued by the federal highway administration to a motor carrier engaged in interstate commerce.

6. "*Motor carrier*" means a person defined in subsection 8, 9, 9A, or 10, but does not include a transportation network company or a transportation network company driver, as defined in [section 321N.1](#).

7. "*Motor carrier certificate*" means a certificate issued by the department to ~~any person transporting passengers on any highway of this state for hire, other than a transportation network company or a transportation network company driver, as defined in [section 321N.1](#)~~ a motor carrier of passengers. This certificate is transferable.

Sec. 2. Section 325A.1, Code 2018, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. "*Intrastate motor carrier number*" means a United States department of transportation number or motor carrier number issued by the federal highway administration to a motor carrier engaged only in intrastate commerce.

NEW SUBSECTION. 9A. "*Motor carrier of passengers*" means any

person transporting passengers on any highway of this state for hire, other than a transportation network company or a transportation network company driver, as defined in section 321N.1.

Sec. 3. Section 325A.3, Code 2018, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. In addition to the application requirements set forth in subsection 2, all applications for a taxicab service passenger certificate shall include the applicant's interstate motor carrier number or intrastate motor carrier number. If the applicant has both an interstate and intrastate motor carrier number, only the interstate motor carrier number must be included.

Sec. 4. Section 325A.3A, Code 2018, is amended to read as follows:

325A.3A Hearings.

A person whose application for a permit or certificate under this chapter has been denied, or whose permit or certificate has been suspended, may contest the decision under [chapter 17A](#) and in accordance with rules adopted by the department. The request for a hearing shall be in writing to the ~~director of the division~~ department's office of vehicle and motor carrier services, state department of transportation, at its office in the capital city's metropolitan area.

Sec. 5. Section 325A.12, subsection 3, paragraph a, Code 2018, is amended to read as follows:

a. Taxicabs with a seating capacity of ~~not more~~ less than ~~eight~~ seven passengers, or persons having a license, contract, or franchise with ~~an Iowa~~ a city in this state to carry or transport passengers for hire while operating within the guidelines of the license, contract, or franchise.

Sec. 6. Section 325A.12, Code 2018, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. "*Taxicab service*" means a person engaged in the for-hire transportation of passengers in a taxicab having a seating capacity of less than seven passengers and not operating on a regular route or between specified points.

Sec. 7. Section 325A.13, subsection 2, paragraphs f and g,

Code 2018, are amended by striking the paragraphs.

Sec. 8. Section 325A.13, Code 2018, is amended by adding the following new subsections:

NEW SUBSECTION. 2A. It is unlawful for a taxicab service to transport passengers by motor vehicle for hire from any place in this state to another place in this state, irrespective of the route or highway traversed, without first having obtained a taxicab service passenger certificate from the department. However, a taxicab service passenger certificate issued by the department does not authorize a taxicab service to transport passengers within the boundaries of a local authority that licenses or regulates such vehicles pursuant to section 321.236, subsection 7, unless the taxicab service is in compliance with all applicable regulations of the local authority.

NEW SUBSECTION. 2B. A person shall not operate as a charter carrier, regular-route motor carrier of passengers, or taxicab service in this state unless the person possesses a certificate issued by the department applicable to the type of operation in which the person is engaged.

CHARLES SCHNEIDER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2271, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2018

KIM REYNOLDS
Governor