



KIM REYNOLDS  
GOVERNOR

**OFFICE OF THE GOVERNOR**

ADAM GREGG  
LT GOVERNOR

June 14, 2022

The Honorable Paul Pate  
Secretary of State of Iowa  
State Capitol  
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

Senate File 2337, an Act relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests.

The above Senate File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds  
Governor of Iowa

cc: Secretary of the Senate  
Clerk of the House



Senate File 2337

AN ACT  
RELATING TO THIRD-PARTY TESTERS AND TEST EXAMINERS FOR  
COMMERCIAL DRIVER'S LICENSE KNOWLEDGE AND DRIVING SKILLS  
TESTS.

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

Section 1. Section 321.187, subsections 2 and 3, Code 2022, are amended to read as follows:

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 test tests required for a commercial learner's permit or commercial driver's license, provided ~~that~~ all of the following occur:

a. The ~~driving skills~~ 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. ~~§383.75~~ pts. 383 and 384 applicable to third-party knowledge and driving skills testing, as adopted by rule by the department.

c. Any third-party ~~skills~~ test examiner used by the third-party tester shall meet the requirements of 49 C.F.R. ~~§383.75 and 49 C.F.R. §384.228~~ 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 requiring that a third-party tester, other than a community college established under chapter 260C, either be 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, or be an Iowa nonprofit corporation that serves as a trade association for Iowa-based motor carriers 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.

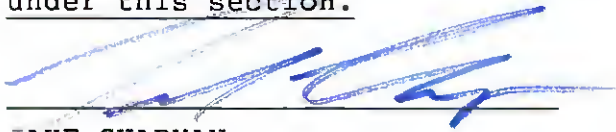
(3) A public transit system or regional transit system, as those terms are defined in section 324A.1, in this state.


3. As used in this section, ~~"third-party tester" and "third-party skills test examiner"~~ mean as defined in 49 C.F.R. ~~§383.5.:~~

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.

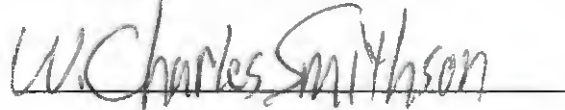
b. "Third-party tester" means a person designated by the department to employ knowledge and driving skills test

examiners to administer knowledge and driving skills tests  
under this section.

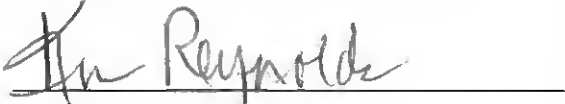
  
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JAKE CHAPMAN  
President of the Senate

  
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PAT GRASSLEY  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 2337, Eighty-ninth General Assembly.

  
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W. CHARLES SMITHSON  
Secretary of the Senate

Approved June 14<sup>th</sup>, 2022

  
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KIM REYNOLDS  
Governor