

Senate File 2337 - Enrolled

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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 ~~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.

JAKE CHAPMAN
President of the Senate

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.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2022

KIM REYNOLDS
Governor