

Reprinted 3/84

FILED FEB 25 1984

SENATE FILE 2235

BY COMMITTEE ON JUDICIARY
Appr. - 2/28 (p. 572)
(FORMERLY SSB 2152)

Passed Senate, Date 3-15-84 (p. 244) Passed House, Date 3-29-84 (p. 1507)
Vote: Ayes 42 Nays 0 Vote: Ayes 100 Nays 0
Approved April 26, 1984

A BILL FOR

1 An Act relating to the penalties for operating a motor vehicle
2 when the operator's license has been suspended or revoked.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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D-2235

1 Section 1. Section 321.218, unnumbered paragraph 1, Code
2 1983, is amended to read as follows:

3 A person whose operator's or chauffeur's license or driving
4 privilege, has been denied, canceled, suspended or revoked
5 as provided in this chapter, and who drives ~~any~~ a motor vehicle
6 upon the highways of this state while the license or privilege
7 is denied, canceled, suspended, or revoked, unless the denial,
8 cancellation, suspension or revocation was pursuant to sections
9 321.209, 321.281, 321.555, is guilty of a ~~serious~~ simple
10 misdemeanor. A person whose operator's or chauffeur's license
11 or driving privilege has been denied, canceled, suspended
12 or revoked pursuant to sections 321.209, 321.281, 321.555
13 or 321B.38, and who drives a motor vehicle upon the highways
14 of this state while the license or privilege is denied,
15 canceled, suspended or revoked, is guilty of a serious
16 misdemeanor. The sentence imposed under this section shall
17 not be suspended by the court, notwithstanding section 907.3
18 or any other statute. The department, upon receiving the
19 record of the conviction of a person under this section upon
20 a charge of driving a motor vehicle while the license of the
21 person was suspended or revoked, shall, except for licenses
22 suspended under section 321.513, extend the period of
23 suspension or revocation for an additional like period, and
24 the department shall not issue a new license during the
25 additional period.

26 EXPLANATION

27 The bill reduces the penalty from a serious misdemeanor
28 to a simple misdemeanor for the offense of driving while
29 license is revoked or suspended when the revocation or
30 suspension was for offenses other than those enumerated in
31 sections 321.209 (mandatory revocations), 321.281 (operating
32 while intoxicated), 321.555 (habitual offender) and 321B.38
33 (implied consent).

34 This bill takes effect July 1 following its enactment.

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SENATE FILE 2235

S-5184

1 Amend Senate File 2235 as follows:
2 1. Page 1, by inserting after line 25 the
3 following:
4 "Sec. 2. Section 321A.32, subsection 2, Code 1983,
5 is amended to read as follows:
6 2. Any person willfully failing to return license
7 or registration as required in section 321A.31 shall
8 be guilty of a serious simple misdemeanor."

S-5184 FILED

BY ARTHUR A. SMALL, JR.

FEBRUARY 28, 1984

Placed out of order 2/15 (p. 844)

S-5308

SENATE FILE 2235

1 Amend Senate File 2235 as follows:
2 1. Page 1, by striking lines 7 through 15 and
3 inserting in lieu thereof the following: "is denied,
4 canceled, suspended, or revoked, ~~is guilty of~~ commits
5 a serious simple misdemeanor. However, a person whose
6 license or driving privilege has been revoked under
7 section 321.209 and who drives a motor vehicle upon
8 the highways of this state while the license or
9 privilege is revoked commits a serious".

S-5308 FILED

BY DONALD V. DOYLE

MARCH 8, 1984

Adopted 3/15 (p. 844)

SENATE FILE 2235

S-5312

1 Amend Senate File 2235 as follows:
2 1. Page 1, by inserting after line 25 the
3 following:
4 "Sec. 2. Section 321A.32, subsection 2, Code 1983,
5 is amended to read as follows:
6 2. Any person willfully failing to return license
7 or registration as required in section 321A.31 shall
8 be guilty of a serious simple misdemeanor.
9 Sec. 3. Section 2 of this bill takes effect July
10 1, following its enactment and applies to all persons
11 convicted under that subsection on or after January
12 1, 1978."

S-5312 FILED

BY ARTHUR A. SMALL, JR.

MARCH 8, 1984

Adopted 3/15 (p. 844)

Use Judiciary 3/19

Senate File 2235

Judiciary and Law Enforcement: Jay, Chair: Knapp, McKean, Rosenberg and Schroeder.

SENATE FILE **2235**

Do Pass 3/23 (p. 247)

BY COMMITTEE ON JUDICIARY

(AS AMENDED AND PASSED BY THE SENATE MARCH 15, 1984)

Re Passed Senate, Date 4-3-84 (p. 1265) Passed House, Date 3-29-84 (p. 1507)

Vote: Ayes 43 Nays 0 Vote: Ayes 100 Nays 0

Approved April 26, 1984

A BILL FOR

- 1 An Act relating to the penalties for operating a motor vehicle
- 2 when the operator's license has been suspended or revoked.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2235

H-5864

- 1 Amend Senate File 2235 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 26 through 28.

H-5864 FILED MARCH 27, 1984 BY SPEAR of Lee
Adopted 3/29 (p. 1507)

SENATE FILE 2235

H-5890

- 1 Amend Senate File 2235 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 26 through 28.

H-5890 FILED MARCH 27, 1984 BY SPEAR of Lee
Struck out of order 3/29 (p. 1507)

SENATE FILE 2235

H-5994

- 1 Amend House amendment H-5864 to Senate File 2235
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by inserting after line 2 the following:
- 5 "1. Page 1, line 9, by inserting after the word
- 6 and figure "section 321.209" the words and figure
- 7 "or chapter 321B"."
- 8 2. By renumbering according to this amendment.

BY JAY of Appanoose

H-5994 FILED MARCH 29, 1984 VARN of Johnson
ADOPTED (p. 1507)

1 Section 1. Section 321.218, unnumbered paragraph 1, Code
2 1983, is amended to read as follows:

3 A person whose operator's or chauffeur's license or driving
4 privilege, has been denied, canceled, suspended or revoked
5 as provided in this chapter, and who drives any a motor vehicle
6 upon the highways of this state while the license or privilege
7 is denied, canceled, suspended, or revoked, is guilty of commits
8 a serious simple misdemeanor. However, a person whose license or
9 driving privilege has been revoked under section 321.209 and who
10 drives a motor vehicle upon the highways of this state while the
11 license or privilege is revoked commits a serious misdemeanor.

12 The sentence imposed under this section shall not be suspended
13 by the court, notwithstanding section 907.3 or any other statute.
14 The department, upon receiving the record of the conviction of a person
15 under this section upon a charge of driving a motor vehicle while
16 the license of the person was suspended or revoked, shall, except
17 for licenses suspended under section 321.513, extend the period
18 of suspension or revocation for an additional like period, and
19 the department shall not issue a new license during the
20 additional period.

21 Sec. 2. Section 321A.32, subsection 2, Code 1983, is
22 amended to read as follows:

23 2. Any person willfully failing to return license or regis-
24 tration as required in section 321A.31 shall be guilty of a
25 serious simple misdemeanor.

26 Sec. 3. Section 2 of this bill takes effect July 1, follow-
27 ing its enactment and applies to all persons convicted under
28 that subsection on or after January 1, 1978.

29

HOUSE AMENDMENT TO SENATE FILE 2235

S-5724

1 Amend Senate File 2235 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 9, by inserting after the word
4 and figure "section 321.209" the words and figure
5 "or chapter 321B".

6 2. Page 1, by striking lines 26 through 28.

S-5724 FILED
APRIL 2, 1984

RECEIVED FROM THE HOUSE
Senate concurred 4/3 (p. 1245)

2. Any person willfully failing to return license or registration as required in section 321A.31 shall be guilty of a ~~serious~~ simple misdemeanor.

SENATE FILE 2235

AN ACT
RELATING TO THE PENALTIES FOR OPERATING A MOTOR VEHICLE WHEN
THE OPERATOR'S LICENSE HAS BEEN SUSPENDED OR REVOKED.

ROBERT T. ANDERSON
President of the Senate

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

DONALD D. AVENSON
Speaker of the House

Section 1. Section 321.218, unnumbered paragraph 1, Code 1983, is amended to read as follows:

A person whose operator's or chauffeur's license or driving privilege has been denied, canceled, suspended or revoked as provided in this chapter, and who drives any a motor vehicle upon the highways of this state while the license or privilege is denied, canceled, suspended, or revoked ~~is guilty of~~ commits a serious simple misdemeanor. However, a person whose license or driving privilege has been revoked under section 321.209 or chapter 321B and who drives a motor vehicle upon the highways of this state while the license or privilege is revoked commits a serious misdemeanor. The sentence imposed under this section shall not be suspended by the court, notwithstanding section 907.3 or any other statute. The department, upon receiving the record of the conviction of a person under this section upon a charge of driving a motor vehicle while the license of the person was suspended or revoked, shall, except for licenses suspended under section 321.513, extend the period of suspension or revocation for an additional like period, and the department shall not issue a new license during the additional period.

I hereby certify that this bill originated in the Senate and is known as Senate File 2235, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 26, 1984

TERRY E. BRANSTAD
Governor

S.F. 2235

Sec. 2. Section 321A.32, subsection 2, Code 1983, is amended to read as follows: