

JUDICIARY: Doyle, Chair: Coleman and Holt

*Dr. Bass 2/19/86 (p. 302)*  
JAN 16 1986

Place On Calendar

HOUSE FILE 2068  
BY COMMITTEE ON JUDICIARY  
AND LAW ENFORCEMENT

(Formerly House Study Bill 504)

Passed House, Date 1-21-86 (p. 107) Passed Senate, Date 3-4-86 (p. 520)

Vote: Ayes 97 Nays 1 Vote: Ayes 48 Nays 0

Approved March 18, 1986 (p. 225)

**A BILL FOR**

1 An Act relating to the suspension of motor vehicle licenses for  
2 the failure to pay a fine, penalty, surcharge, or court cost.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2068

1 Section 1. Section 321.210A, Code Supplement 1985, is  
2 amended to read as follows:

3 321.210A SUSPENSION FOR FAILURE TO PAY FINE, PENALTY,  
4 SURCHARGE, OR COURT COSTS.

5 The department shall suspend the motor vehicle license of a  
6 person who, upon conviction of violating a law regulating the  
7 operation of a motor vehicle, has failed to pay the criminal  
8 fine or penalty, surcharge, or court costs, as follows:

9 1. Upon the failure of a person to timely pay the fine,  
10 penalty, surcharge, or court costs the clerk of the district  
11 court shall notify the person by regular mail that if the  
12 fine, penalty, surcharge, or court costs remain unpaid after  
13 sixty days from the date of mailing, the clerk will notify the  
14 department of the failure for purposes of instituting  
15 suspension procedures.

16 2. Upon the failure of a person to pay the fine, penalty,  
17 surcharge, or court costs within sixty days of-receiving  
18 notice from by the clerk of the district court as provided in  
19 subsection 1, the clerk shall report the failure to the  
20 department.

21 3. Upon receipt of a report of a failure to pay the fine,  
22 penalty, surcharge, or court costs from the clerk of the  
23 district court, the department shall in accordance with its  
24 rules, suspend the person's motor vehicle license until the  
25 fine, penalty, surcharge, or court costs are paid, unless the  
26 person proves to the satisfaction of the ~~clerk-and-the~~  
27 department that the person cannot pay the fine, penalty,  
28 surcharge, or court costs.

29 EXPLANATION

30 This bill sets out the type of notice which the clerk of  
31 court provides prior to department of transportation beginning  
32 suspension processes. The bill also removes the clerk of  
33 court from the adjudicatory process of determining a person's  
34 ability to pay a fine, penalty, surcharge, or court costs.

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*MWB*  
*Nov*  
*HF 2068*

*NSB 504*

Judiciary & Law Enforcement

*House*

SENATE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

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32 suspension processes. The bill also removes the clerk of  
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HOUSE FILE 2068

AN ACT  
RELATING TO THE SUSPENSION OF MOTOR VEHICLE LICENSES FOR THE  
FAILURE TO PAY A FINE, PENALTY, SURCHARGE, OR COURT COST.

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

Section 1. Section 321.210A, Code Supplement 1985, is amended to read as follows:

321.210A SUSPENSION FOR FAILURE TO PAY FINE, PENALTY, SURCHARGE, OR COURT COSTS.

The department shall suspend the motor vehicle license of a person who, upon conviction of violating a law regulating the operation of a motor vehicle, has failed to pay the criminal fine or penalty, surcharge, or court costs, as follows:

1. Upon the failure of a person to timely pay the fine, penalty, surcharge, or court costs the clerk of the district court shall notify the person by regular mail that if the fine, penalty, surcharge, or court costs remain unpaid after sixty days from the date of mailing, the clerk will notify the department of the failure for purposes of instituting suspension procedures.

2. Upon the failure of a person to pay the fine, penalty, surcharge, or court costs within sixty days of receiving notice from by the clerk of the district court as provided in subsection 1, the clerk shall report the failure to the department.

3. Upon receipt of a report of a failure to pay the fine, penalty, surcharge, or court costs from the clerk of the district court, the department shall in accordance with its rules, suspend the person's motor vehicle license until the fine, penalty, surcharge, or court costs are paid, unless the

person proves to the satisfaction of the clerk and the department that the person cannot pay the fine, penalty, surcharge, or court costs.

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DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2068, Seventy-first General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved March 18, 1986

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TERRY E. BRANSTAD  
Governor