

Gen. Transp 3/5/87 Do Pass with 3485 4/9/87 (p. 1189)

FEB 5 1987

HOUSE FILE 167

Place On Calendar

BY COMMITTEE ON TRANSPORTATION

(Formerly House Study Bill 30)

Passed House, Date 3-2-87 (p. 496) Passed Senate, Date 4/20/87 (p. 1401)

Vote: Ayes 64 Nays 35 Vote: Ayes 36 Nays 12

Approved May 29, 1987

Repassed House 4/27/87 (p. 1671)

62-29

A BILL FOR

20221 An Act relating to fees for and duration of motor vehicle  
2 licenses and requiring motor vehicle licenses and  
3 nonoperator's identification cards issued to persons under  
4 twenty-one years of age to contain a profile photograph and  
5 providing an effective date and conditional repeal and  
6 reenactment.

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

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10 *Conference Committee*  
11 *Senator Scott (Chair), Lloyd-Jones, Coleman, Drake, Goodwin 5/5 (p. 1709)*  
12 *Representatives Fogarty (Chair), Fay, Cooper, Beeman, Plett 5/5 (p. 1981)*

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13 *Passed per Conference Committee Report*  
14 *House 5/7/87 (p. 2158)* *Senate 5/8/87 (p. 1790)*  
15 *72-25* *31-15*

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HF 167

1 Section 1. Section 321.189, subsection 1, unnumbered  
2 paragraph 2, Code 1987, is amended to read as follows:

3 A motor vehicle license or a nonoperator's identification  
4 card issued to a person under nineteen twenty-one years of age  
5 shall be identical in form to any other motor vehicle license  
6 or nonoperator's identification card issued to any other  
7 person, except that the photograph appearing on the face of  
8 the license or card shall be a side profile of the applicant.  
9 Upon attaining the age of nineteen twenty-one, and upon the  
10 payment of a one dollar fee, the person shall be entitled to a  
11 new motor vehicle license or nonoperator's identification card  
12 for the unexpired months of the motor vehicle license or the  
13 nonoperator's identification card. This paragraph is  
14 effective for licenses or cards issued after July 1, ~~1984~~  
15 1987, to persons born after September 1, 1967.

16 Sec. 2. Section 321.191, unnumbered paragraph 1, Code  
17 1987, is amended to read as follows:

18 The fee for an operator's license shall be seven ten  
19 dollars if issued for a period of two years, and twenty  
20 dollars if issued for a period of ~~six~~ four years. The fee for  
21 a chauffeur's license shall be fourteen twenty dollars if  
22 issued for a period of two years, and forty dollars if issued  
23 for a period of ~~six~~ four years. The fee for an a temporary  
24 instruction permit shall be six dollars, for a chauffeur's  
25 instruction permit, twelve dollars, ~~for-a-temporary-driver's~~  
26 permit, ten dollars for a school license, ten dollars, for a  
27 restricted license issued under section 321.178, subsection 2,  
28 ten dollars and for a motorized bicycle license, ten dollars.

29 Sec. 3. Section 321.196, unnumbered paragraph 1, Code  
30 1987, is amended to read as follows:

31 An Except as otherwise provided, an operator's license  
32 expires six, at the option of the applicant, two or four years  
33 from the licensee's birthday anniversary occurring in the year  
34 of issuance if the licensee is between the ages of eighteen  
35 and seventy years on the date of issuance of the license,

1 otherwise the license is effective for a period of two years.  
2 The license is renewable without written examination or  
3 penalty within a period of thirty days after its expiration  
4 date. A person shall not be considered to be driving with an  
5 invalid license during a period of thirty days following the  
6 license expiration date. However, for a license renewed  
7 within the thirty-day period, the date of issuance shall be  
8 considered to be the previous birthday anniversary on which it  
9 expired. Applicants whose licenses are restricted due to  
10 vision or other physical deficiencies may be required to renew  
11 their licenses every two years. For the purposes of this  
12 section the birthday anniversary of a person born on February  
13 29 shall be deemed to occur on March 1. All applications for  
14 renewal of operators' licenses shall be made under the direct  
15 supervision of a uniformed member of the department and shall  
16 be approved by the uniformed member. The department in its  
17 discretion may authorize the renewal of a valid license upon  
18 application without an examination provided that the applicant  
19 satisfactorily passes a vision test as prescribed by the  
20 department.

21 Sec. 4. Section 321.197, Code 1987, is amended to read as  
22 follows:

23 321.197 EXPIRATION OF CHAUFFEUR'S LICENSE.

24 Every Except as otherwise provided, every chauffeur's  
25 license shall expire every-six, at the option of the  
26 applicant, two or four years on from the licensee's birthday  
27 anniversary occurring in the year of issuance. A chauffeur's  
28 license may be renewed within thirty days after the  
29 applicant's license expiration date without written  
30 examination or penalty. A person shall not be considered to  
31 be driving with an invalid license during a period of thirty  
32 days following the license expiration date. For any license  
33 renewed within the thirty-day period, the date of issuance  
34 shall be considered to be the previous birthday anniversary on  
35 which it expired. However, if the licensee is seventy years

1 of age or older on the date of issuance of the license, the  
2 license shall be issued to be valid for two years. For the  
3 purposes of this section the birthday anniversary of a person  
4 born on February 29 shall be deemed to occur on March 1. The  
5 department in its discretion may waive the examination of any  
6 applicant previously licensed as a chauffeur under this  
7 chapter, provided that the person satisfactorily passes a  
8 vision test as prescribed by the department. An application  
9 for the renewal of a chauffeur's license shall be made under  
10 the direct supervision of a uniformed member of the department  
11 and shall be approved by the uniformed member.

12 Sec. 5. CONDITIONAL REPEAL AND REENACTMENT.

13 If 23 U.S.C. § 158 is declared unconstitutional by the  
14 appellate court of the eighth circuit or by the supreme court  
15 of the United States, or if 23 U.S.C. § 158 is repealed by the  
16 United States congress or otherwise invalidated, section 1 of  
17 this Act is repealed and section 321.189, subsection 1,  
18 unnumbered paragraph 2, Code 1987, is reenacted to read as it  
19 did prior to the effective date of this Act.

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EXPLANATION

21 The bill places the fee for an operator's license at ten  
22 dollars for two years and twenty dollars for four years. The  
23 fee for a chauffeur's license is twenty dollars for two years  
24 and forty dollars for four years. The fee for a school  
25 license is ten dollars and the fee for a restricted license  
26 issued under section 321.178, subsection 2, is ten dollars.  
27 The bill eliminates six-year operator's licenses and  
28 chauffeur's licenses. The bill also eliminates the statutory  
29 fee for temporary driving permits. The bill allows an  
30 operator's or chauffeur's license applicant to elect whether  
31 to be issued a two-or four-year license. However, if the  
32 applicant is seventy years of age or older, the license may  
33 only be issued for two years. Similarly, if the operator's  
34 license applicant is under the age of eighteen, the license  
35 may only be issued for a period of two years.

1 Section 1 of the bill requires profile photographs on motor  
2 vehicle licenses and nonoperator's identification cards issued  
3 to persons who may not purchase alcoholic liquor, wine, or  
4 beer under section 123.47A. Under current law profile  
5 photographs are contained on motor vehicle licenses and  
6 nonoperator's identification cards issued to persons under  
7 nineteen years of age.

8 Section 5 of the bill contains similar sunset provisions as  
9 those contained in chapter 1225, 1986 Iowa Acts, which created  
10 section 123.47A of the Code.

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HOUSE AMENDMENT TO  
SENATE AMENDMENT TO  
HOUSE FILE 167

S-3897

- 1 Amend the Senate amendment, H-3896, to House File
- 2 167, as passed by the House, as follows:
- 3 1. Page 1, by striking lines 3 and 4 and
- 4 inserting the following:
- 5 "\_\_\_\_. Page 3, by inserting after line 11 the
- 6 following: "
- 7 2. Page 1, line 33, by striking the figure "19"
- 8 and inserting the figure "11".
- 9 3. Page 1, by striking lines 43 through 46 and
- 10 inserting the following:
- 11 "\_\_\_\_. Title page, line 1, by striking the word
- 12 "for" and inserting the following: "for, issuance
- 13 of"."
- 14 4. Renumber as necessary.

S-3897

Filed April 29, 1987

RECEIVED FROM THE HOUSE

*Senate refused to concur 4/30/87 (H 1610)*  
*House enacted 5/5 (H 1987)*

## SENATE AMENDMENT TO HOUSE FILE 167

H-3896

1 Amend House File 167 as passed by the House as  
2 follows:

3 1. By striking page 1, line 16 through page 3,  
4 line 19 and inserting the following:

5 "Sec. \_\_\_\_ . Section 321.210, unnumbered paragraph  
6 11, Code 1987, is amended by striking the paragraph  
7 and inserting in lieu thereof the following:

8 The department may, on application, issue a  
9 temporary restricted license to a person, whose motor  
10 vehicle license is suspended, cancelled, or revoked  
11 under this chapter, allowing the person to drive to  
12 and from the person's home and specified places at  
13 specified times which can be verified by the  
14 department and which are required by the person's  
15 full-time or part-time employment; continuing health  
16 care or the continuing health care of another who is  
17 dependent upon the person; continuing education while  
18 enrolled in an educational institution on a part-time  
19 or full-time basis and while pursuing a course of  
20 study leading to a diploma, degree, or other  
21 certification of successful educational completion;  
22 substance abuse treatment; or court-ordered community  
23 service responsibilities. However, a temporary  
24 restricted license shall not be issued to a person  
25 whose license is revoked under section 321.209,  
26 subsections 1 through 5. A temporary restricted  
27 license may be issued to a person whose license is  
28 revoked under section 321.209, subsection 6, only if  
29 the person has no previous drag racing convictions. A  
30 person holding a temporary restricted license issued  
31 by the department under this section shall not operate  
32 a motor vehicle for pleasure."

33 2. Page 3, by inserting after line 19 the  
34 following:

35 "Sec. \_\_\_\_ . Section 321.198, unnumbered paragraph  
36 2, Code 1987, is amended to read as follows:

37 The department is hereby authorized to renew any  
38 operator's motor vehicle license falling within the  
39 provisions and limitations of the preceding paragraph,  
40 without examination, upon application and payment of  
41 fee made within six months following separation from  
42 the military service."

43 3. Title page, by striking lines 1 through 6 and  
44 inserting the following: "An Act relating to the  
45 issuance of motor vehicle licenses and nonoperator's  
46 identification cards."

47 4. By renumbering, relettering, or redesignating  
48 and correcting internal references as necessary.

H-3896 FILED APRIL 22, 1987

RECEIVED FROM THE SENATE

*House Amended (3896) ✓*  
*Concurred 4/27/87 (p. 1671)*

HOUSE FILE 167

H-3931

- 1 Amend the Senate amendment, H-3896, to House File  
2 167, as passed by the House, as follows:  
3 1. Page 1, by striking lines 3 and 4 and  
4 inserting the following:  
5 "\_\_\_\_\_. Page 3, by inserting after line 11 the  
6 following: "  
7 2. Page 1, line 33, by striking the figure "19"  
8 and inserting the figure "11".  
9 3. Page 1, by striking lines 43 through 46 and  
10 inserting the following:  
11 "\_\_\_\_\_. Title page, line 1, by striking the word  
12 "for" and inserting the following: "for, issuance  
13 of"."  
14 4. Renumber as necessary.

BY FOGARTY of Palo Alto  
LAGESCHULTE of Bremer  
PLATT of Muscatine

H-3931 FILED APRIL 23, 1987  
*Adopted 4/27/87 (p 1671)*



HOUSE FILE 167

S-3485

1 Amend House File 167 as passed by the House as  
2 follows:

3 1. By striking page 1, line 16 through page 3,  
4 line 19 and inserting the following:

5 "Sec. \_\_\_\_ . Section 321.210, unnumbered paragraph  
6 11, Code 1987, is amended by striking the paragraph  
7 and inserting in lieu thereof the following:

8 The department may, on application, issue a  
9 temporary restricted license to a person, whose motor  
10 vehicle license is suspended, cancelled, or revoked  
11 under this chapter, allowing the person to drive to  
12 and from the person's home and specified places at  
13 specified times which can be verified by the  
14 department and which are required by the person's  
15 full-time or part-time employment; continuing health  
16 care or the continuing health care of another who is  
17 dependent upon the person; continuing education while  
18 enrolled in an educational institution on a part-time  
19 or full-time basis and while pursuing a course of  
20 study leading to a diploma, degree, or other  
21 certification of successful educational completion;  
22 substance abuse treatment; or court-ordered community  
23 service responsibilities. However, a temporary  
24 restricted license shall not be issued to a person  
25 whose license is revoked under section 321.209,  
26 subsections 1 through 5. A temporary restricted  
27 license may be issued to a person whose license is  
28 revoked under section 321.209, subsection 6, only if  
29 the person has no previous drag racing convictions. A  
30 person holding a temporary restricted license issued  
31 by the department under this section shall not operate  
32 a motor vehicle for pleasure."

33 2. Title page, by striking lines 1 through 6 and  
34 inserting the following: "An Act relating to the  
35 issuance of motor vehicle licenses and nonoperator's  
36 identification cards."

S-3485

Filed April 9, 1987

*Adopted 4/20/87 (p. 1401)*

BY COMMITTEE ON TRANSPORTATION  
C. JOSEPH COLEMAN, Chairperson

HOUSE FILE 167

S-3526

- 1 Amend the Committee on Transportation amendment, S-  
2 3485, to House File 167, as passed by the House, as  
3 follows:  
4 1. Page 1, by striking lines 3 and 4 and  
5 inserting the following:  
6 "\_\_\_\_. Page 3, by inserting after line 11 the  
7 following: "  
8 2. Page 1, by striking lines 33 through 36 and  
9 inserting the following:  
10 "\_\_\_\_. Title page, line 1, by striking the word  
11 "for" and inserting the following: "for, issuance  
12 of"."  
13 3. Renumber as necessary.

S-3526

Filed April 13, 1987

*Exec 4/20 (p. 1401)*

BY RICHARD F. DRAKE  
HURLEY W. HALL

HOUSE FILE 167

S-3693

- 1 Amend House File 167 as passed by the House as  
2 follows:  
3 1. Page 1, line 18, by striking the word "ten"  
4 and inserting the word "eight".  
5 2. Page 1, line 19, by striking the word "twenty"  
6 and inserting the words "twenty fifteen".  
7 3. Page 1, line 21, by striking the word "twenty"  
8 and inserting the word "fifteen".  
9 4. Page 1, line 22, by striking the word "forty"  
10 and inserting the words "forty thirty".

S-3693

Filed April 20, 1987

RULED OUT OF ORDER *(p. 1401)*

BY C. JOSEPH COLEMAN

HOUSE FILE 167

S-3694

- 1 Amend House File 167 as passed by the House as  
2 follows:  
3 1. Page 3, by inserting after line 19 the  
4 following:  
5 "Sec. \_\_\_\_ Section 321.198, unnumbered paragraph  
6 2, Code 1987, is amended to read as follows:  
7 The department is hereby authorized to renew any  
8 operator's motor vehicle license falling within the  
9 provisions and limitations of the preceding paragraph,  
10 without examination, upon application and payment of  
11 fee made within six months following separation from  
12 the military service."

S-3694

Filed April 20, 1987

ADOPTED *(p. 1401)*

BY C. JOSEPH COLEMAN

HOUSE FILE 167

H-3077

1 Amend House File 167 as follows:

2 1. Page 1, by striking lines 34 and 35 and  
3 inserting the following: "of issuance if the licensee  
4 ~~is between-the-ages-of~~ age eighteen and-seventy-years  
5 or older on the date of issuance of the license,".

6 2. By striking page 2, line 32 through page 3,  
7 line 2, and inserting the following: "days following  
8 the license expiration date. ~~However, if the licensee~~  
9 ~~is-seventy-years-of-age-or-older-on-the-date-of~~  
10 ~~issuance-of-the-license, the license shall be issued~~  
11 ~~to-be-valid-for-two-years.~~ For any license renewed  
12 within the thirty-day period, the date of issuance  
13 shall be considered to be the previous birthday  
14 anniversary on which it expired. For the".

H-3077 FILED FEBRUARY 18, 1987 BY SHONING of Woodbury

*Loan 2/23/87 (p. 431)*

HOUSE FILE 167

H-3071

- 1 Amend House File 167 as follows:
- 2 1. Page 3, by striking lines 12 through 19.

BY LAGESCHULTE of Bremer

H-3071 FILED FEBRUARY 16, 1987 FOGARTY of Palo Alto

*Adopted 2/16/87 (p. 421)*  
*Reconsidered w/ & 3/2 (p. 493)*

HOUSE FILE 167

H-3072

- 1 Amend House File 167 as follows:
- 2 1. Page 1, by inserting before line 16 the
- 3 following:
- 4 "Sec. \_\_\_\_ . Section 321.189, subsection 1, Code
- 5 1987, is amended by adding the following new
- 6 unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. The use of bioptic
- 8 lenses by an applicant for a motor vehicle license
- 9 does not disqualify the applicant from being issued a
- 10 license, provided the applicant passes an eyesight and
- 11 a driving test administered by the department."
- 12 2. Title page, line 1, by inserting after the
- 13 word "to" the words "issuance of,".
- 14 3. Renumber sections as necessary.

H-3072 FILED FEBRUARY 17, 1987 BY GRONINGA of Cerro Gordo  
*Filed not germane 2/2/87 (p. 493)*

HOUSE FILE 167

H-3074

- 1 Amend House File 167 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Sec. \_\_\_\_ . NEW SECTION. 312.17 REDUCTION IN
- 5 TRANSPERENCE OF FUNDS FOR IOWA HIGHWAY SAFETY PATROL.
- 6 Moneys appropriated by the general assembly from
- 7 the road use tax fund to the general fund of the state
- 8 to fund the Iowa highway safety patrol shall be
- 9 reduced in the fiscal year beginning July 1, 1987 and
- 10 ending June 30, 1988, and each succeeding fiscal year
- 11 in an amount equal to one-fourth of the amount
- 12 transferred in the fiscal year beginning July 1, 1986
- 13 and ending June 30, 1987. In the fiscal year
- 14 beginning July 1, 1990 and ending June 30, 1991, no
- 15 funds shall be transferred from the road use tax fund
- 16 to the general fund of the state to fund the Iowa
- 17 highway safety patrol."
- 18 2. Title page, line 6, by inserting after the
- 19 word "reenactment" the following: "and directing a
- 20 reduction in an appropriation".
- 21 3. Renumber sections as necessary.

H-3074 FILED FEBRUARY 17, 1987 BY VAN CAMP of Scott  
*Filed not germane 2/13/87 (p. 421)*

HOUSE FILE 167  
COMPARISON 2  
FISCAL NOTE

REQUESTED BY REPRESENTATIVE FOGARTY

In compliance with a written request received May 6, 1987, a fiscal note for HOUSE FILE 167 COMPARISON - 2 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 167 places the fee for an operator's license at ten dollars for two years and twenty dollars for four years. The fee for a chauffeur's license is twenty dollars for two years and forty dollars for four years. The fee for a school license is ten dollars and the fee for a restricted license issued under section 321.178, subsection 2, is ten dollars. The bill eliminates six-year operator's licenses and chauffeur's licenses. The bill also eliminates the statutory fee for temporary driving permits. The bill allows an operator's or chauffeur's license applicant to elect whether to be issued a two or four year license. However, if the applicant is seventy years of age or older, the license may only be issued for a period of two years.

Section 1 of the bill also requires a profile photograph on motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age, and section 5 provides for the repeal of section 1 if 23 U.S.C. 158 is declared unconstitutional or repealed or invalidated by the United States congress.

ASSUMPTIONS: Projections assume a July 1, 1987 implementation date and that no six year licenses will be issued after that date.

FISCAL EFFECT

LICENSES TO BE ISSUED — CURRENT  
(000 omitted)

YEAR	2 Yr. Ch.	6 Yr. Ch.	2 Yr. Op.	6 Yr. Op
1988	10	60	108	391
1989	10	20	108	50
1990	10	20	108	50
1991	10	60	108	391
1992	10	60	108	391
1993	10	60	108	391
1994	10	60	108	391
1995	10	30	108	75
1996	10	30	108	75

-2-

LICENSES TO BE ISSUED -- PROPOSED  
(000 omitted)

YEAR	2 Yr. Ch.	4 Yr. Ch.	2 Yr. Op.	4 Yr. Op.
1988	10	60	108	391
1989	10	20	108	50
1990	10	20	108	50
1991	10	60	108	391
1992	10	120	108	782
1993	10	60	108	391
1994	10	30	108	75
1995	10	60	108	391
1996	10	120	108	782

TOTAL REVENUES ESTIMATED  
(\$ 000 omitted)

<u>FISCAL YEAR</u>	<u>CURRENT LAW</u>	<u>PROPOSED LAW</u>	<u>PROPOSED AMENDMENT</u>
1988	\$12,054	\$12,438	\$9,617
1989	3,634	4,018	3,302
1990	3,634	4,018	3,302
1991	12,054	12,438	9,617
1992	12,054	22,658	17,282
1993	12,054	12,438	9,617
1994	12,054	4,918	3,977
1995	4,534	12,438	9,617
1996	4,534	22,658	17,282
TOTAL	76,606	108,022	83,613

Cities and counties will receive additional annual revenue of \$142,080.

(Source: Department of Transportation)

(LSB 2099H.3, DPW)

FILED MAY 7, 1987

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 167  
 COMPARISON  
FISCAL NOTE

REQUESTED BY REPRESENTATIVE FOGARTY

In compliance with a written request received May 6, 1987, a fiscal note for **HOUSE FILE 167 COMPARISON** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 167 places the fee for an operator's license at ten dollars for two years and twenty dollars for four years. The fee for a chauffeur's license is twenty dollars for two years and forty dollars for four years. The fee for a school license is ten dollars and the fee for a restricted license issued under section 321.178, subsection 2, is ten dollars. The bill eliminates six-year operator's licenses and chauffeur's licenses. The bill also eliminates the statutory fee for temporary driving permits. The bill allows an operator's or chauffeur's license applicant to elect whether to be issued a two or four year license. However, if the applicant is seventy years of age or older, the license may only be issued for a period of two years.

Section 1 of the bill also requires a profile photograph on motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age, and section 5 provides for the repeal of section 1 if 23 U.S.C. 158 is declared unconstitutional or repealed or invalidated by the United States congress.

**ASSUMPTIONS:** Projections assume a July 1, 1987 implementation date and that no six year licenses will be issued after that date.

**FISCAL EFFECT:** This bill would generate \$384,000 annually for the road use tax fund.

LICENCES TO BE ISSUED -- CURRENT  
 (000 omitted)

YEAR	2 Yr. Ch.	6 Yr. Ch.	2 Yr. Op.	6 Yr. Op.
1988	10	60	108	391
1989	10	20	108	50
1990	10	20	108	50
1991	10	60	108	391
1992	10	60	108	391
1993	10	60	108	391

-2-

LICENSES TO BE ISSUED -- PROPOSED  
(000 omitted)

YEAR	2 Yr. Ch.	4 Yr. Ch.	2 Yr. Op.	4 Yr. Op.
1988	10	60	108	391
1989	10	20	108	50
1990	10	20	108	50
1991	10	60	108	391
1992	10	120	108	782
1993	10	60	108	391

TOTAL REVENUES ESTIMATED

(\$ 000 omitted)

<u>FISCAL</u> <u>YEAR</u>	<u>CURRENT</u> <u>LAW</u>	<u>PROPOSED</u> <u>LAW</u>	<u>PROPOSED</u> <u>AMENDMENT</u>
1988	\$12,054	\$12,438	\$9,617
1989	3,634	4,018	3,302
1990	3,634	4,018	3,302
1991	12,054	12,438	9,617
1992	12,054	22,658	17,282
1993	12,054	12,438	9,617

Cities and counties will receive additional annual revenue of \$142,080.

(Source: Department of Transportation)

(LSB 2099H.2, DPW)

FILED MAY 6, 1987

BY DENNIS PROUTY, FISCAL DIRECTOR



## HOUSE FILE 167

## FISCAL NOTE

REQUESTED BY REPRESENTATIVE FOGARTY

In compliance with a written request received February 2, 1987, a fiscal note for HOUSE FILE 167 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 167 places the fee for an operator's license at ten dollars for two years and twenty dollars for four years. The fee for a chauffeur's license is twenty dollars for two years and forty dollars for four years. The fee for a school license is ten dollars and the fee for a restricted license issued under section 321.178, subsection 2, is ten dollars. The bill eliminates six-year operator's licenses and chauffeur's licenses. The bill also eliminates the statutory fee for temporary driving permits. The bill allows an operator's or chauffeur's license applicant to elect whether to be issued a two or four year license. However, if the applicant is seventy years of age or older, the license may only be issued for a period of two years.

Section 1 of the bill also requires a profile photograph on motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age, and section 5 provides for the repeal of section 1 if 23 U.S.C. 158 is declared unconstitutional or repealed or invalidated by the United States congress.

**ASSUMPTIONS:** Projections assume a July 1, 1987 implementation date and that no six year licenses will be issued after that date.

**FISCAL EFFECT:** This bill would generate \$384,000 annually for the road use tax fund.

## ESTIMATED EFFECT ON DRIVERS LICENSE REVENUES

FISCAL YEAR	(\$ 000 omitted)		
	CURRENT LAW	PROPOSED LAW	INCREASE (DECREASE)
1988	\$12,054	\$12,438	\$384
1989	3,634	4,018	384
1990	3,634	4,018	384
1991	12,054	12,438	384

Cities and counties will receive additional annual revenue of \$142,080 and \$69,120 respectively. The state's share will be \$172,800.

(Source: Iowa department of transportation)

(LSB 2099H, DPW)

FILED FEBRUARY 16, 1987

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 167  
CONFERENCE COMMITTEE  
FISCAL NOTE

REQUESTED BY REPRESENTATIVE FOGARTY

In compliance with a written request received May 7, 1987, a fiscal note for HOUSE FILE 167 - CONFERENCE COMMITTEE is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 167 places the fee for an operator's license at ten dollars for two years and twenty dollars for four years. The fee for a chauffeur's license is twenty dollars for two years and forty dollars for four years. The fee for a school license is ten dollars and the fee for a restricted license issued under section 321.178, subsection 2, is ten dollars. The bill eliminates six-year operator's licenses and chauffeur's licenses. The bill also eliminates the statutory fee for temporary driving permits. The bill allows an operator's or chauffeur's license applicant to elect whether to be issued a two or four year license. However, if the applicant is seventy years of age or older, the license may only be issued for a period of two years.

Section 1 of the bill also requires a profile photograph on motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age, and section 5 provides for the repeal of section 1 if 23 U.S.C. 158 is declared unconstitutional or repealed or invalidated by the United States congress.

**ASSUMPTIONS:** Projections assume a July 1, 1987 implementation date and that no six year licenses will be issued after that date.

**FISCAL EFFECT**

**LICENSES TO BE ISSUED -- CURRENT**  
(000 omitted)

YEAR	2 Yr. Ch.	6 Yr. Ch.	2 Yr. Op.	6 Yr. Op.
1988	10	60	108	391
1989	10	20	108	50
1990	10	20	108	50
1991	10	60	108	391
1992	10	60	108	391
1993	10	60	108	391
1994	10	60	108	391
1995	10	30	108	75
1996	10	30	108	75

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LICENSES TO BE ISSUED -- PROPOSED  
(000 omitted)

YEAR	2 Yr. Ch.	4 Yr. Ch.	2 Yr. Op.	4 Yr. Op.
1988	10	60	108	391
1989	10	20	108	50
1990	10	20	108	50
1991	10	60	108	391
1992	10	120	108	782
1993	10	60	108	391
1994	10	30	108	75
1995	10	60	108	391
1996	10	120	108	782

TOTAL REVENUES ESTIMATED  
(\$ 000 omitted)

<u>FISCAL YEAR</u>	<u>CURRENT LAW</u>	<u>CONFERENCE REPORT</u>
1988	\$12,054	\$10,008
1989	3,634	3,352
1990	3,634	3,352
1991	12,054	10,008
1992	12,054	18,064
1993	12,054	10,008
1994	12,054	4,052
1995	4,534	10,008
1996	4,534	18,044
<b>TOTAL</b>	<b>76,606</b>	<b>86,916</b>

Over this period of time counties will receive an additional \$3.8 million and cities will receive an additional \$1.86 million.

(Source: Department of Transportation)

(LSB 2099H.4, DPW)

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 167

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 167, a bill for An Act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment, respectfully make the following report:

1. That the House recede from its amendment, S-3897, to the Senate amendment, H-3896, to House File 167 as passed by the House.

2. That the Senate amendment, H-3896, to House File 167 as passed by the House, be amended as follows:

1. Page 1, by inserting after line 2 the following:

"\_\_\_. Page 1, line 18, by striking the word "ten" and inserting the word "eight".

\_\_\_. Page 1, line 19, by striking the word "twenty" and inserting the words "twenty sixteen".

\_\_\_. Page 1, line 21, by striking the word "twenty" and inserting the word "fifteen".

\_\_\_. Page 1, line 22, by striking the word "forty" and inserting the words "forty thirty"."

2. Page 1, by striking lines 3 and 4 and inserting the following:

"\_\_\_. Page 3, by inserting after line 11 the following:  
".

3. Page 1, line 33, by striking the figure "19" and inserting the figure "11".

4. Page 1, by striking lines 43 through 46 and inserting

Page Two, Conference Committee Report, House File 167

the following:

"\_\_\_\_. Title page, line 1, by striking the word "for" and inserting the following: "for, issuance of"."

5. Renumber as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

DANIEL FOGARTY, CHAIR  
TOM FEY  
JAMES COOPER  
JACK BEAMAN  
DONALD PLATT

KENNETH SCOTT, CHAIR  
C. JOSEPH COLEMAN  
JEAN LLOYD-JONES  
RICHARD F. DRAKE  
NORMAN J. GOODWIN

FILED MAY 7, 1987

*House* ADOPTED (y 2157)

May 8, 1987

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 167

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 167, a bill for An Act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment, respectfully make the following report:

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3. Page 1, line 33, by striking the figure "19" and inserting the figure "11".

4. Page 1, by striking lines 43 through 46 and inserting

**the following:**

"\_\_\_. Title page, line 1, by striking the word "for" and inserting the following: "for, issuance of"."

5. Renumber as necessary.

**ON THE PART OF THE HOUSE:**

DANIEL FOGARTY, Chairperson  
TOM FEY  
JAMES COOPER  
JACK BEAMAN  
DONALD PLATT

**ON THE PART OF THE SENATE:**

KENNETH D. SCOTT, Chairperson  
C. JOSEPH COLEMAN  
JEAN LLOYD-JONES  
RICHARD F. DRAKE  
NORMAN J. GOODWIN

Filed May 7, 1987

TRANSPORTATION

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PREFILED DEPARTMENT OF  
TRANSPORTATION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the fees for and the duration of operators'  
2 and chauffeurs' licenses.

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

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SUB COMMITTEE ASSIGNMENTS,  
CLERK: *For party*  
COMMITTEE: *Transportation*



1 Section 1. Section 321.191, unnumbered paragraph 1, Code  
2 1987, is amended to read as follows:

3 The fee for an operator's license shall be seven ten  
4 dollars if issued for a period of two years, and twenty  
5 dollars if issued for a period of ~~six~~ four years. The fee for  
6 a chauffeur's license shall be fourteen twenty dollars if  
7 issued for a period of two years, and forty dollars if issued  
8 for a period of ~~six~~ four years. The fee for an instruction  
9 permit shall be six dollars, for a chauffeur's instruction  
10 permit, twelve dollars, for a ~~temporary-driver's-permit~~  
11 minor's school license, ten dollars, for a minor's restricted  
12 license, ten dollars and for a motorized bicycle license, ten  
13 dollars.

14 Sec. 2. Section 321.196, unnumbered paragraph 1, Code  
15 1987, is amended to read as follows:

16 An Except as otherwise provided, an operator's license  
17 expires ~~six~~, at the option of the applicant, two or four years  
18 from the licensee's birthday anniversary occurring in the year  
19 of issuance if the licensee is between the ages of eighteen  
20 and seventy years on the date of issuance of the license,  
21 otherwise the license is effective for a period of two years.  
22 The license is renewable without written examination or  
23 penalty within a period of thirty days after its expiration  
24 date. A person shall not be considered to be driving with an  
25 invalid license during a period of thirty days following the  
26 license expiration date. However, for a license renewed  
27 within the thirty-day period, the date of issuance shall be  
28 considered to be the previous birthday anniversary on which it  
29 expired. Applicants whose licenses are restricted due to  
30 vision or other physical deficiencies may be required to renew  
31 their licenses every two years. For the purposes of this  
32 section the birthday anniversary of a person born on February  
33 29 shall be deemed to occur on March 1. All applications for  
34 renewal of operators' licenses shall be made under the direct  
35 supervision of a uniformed member of the department and shall

1 be approved by the uniformed member. The department in its  
2 discretion may authorize the renewal of a valid license upon  
3 application without an examination provided that the applicant  
4 satisfactorily passes a vision test as prescribed by the  
5 department.

6 Sec. 3. Section 321.197, Code 1987, is amended to read as  
7 follows:

8 321.197 EXPIRATION OF CHAUFFEUR'S LICENSE.

9 Every Except as otherwise provided, every chauffeur's  
10 license shall expire every-six, at the option of the  
11 applicant, two or four years on from the licensee's birthday  
12 anniversary occurring in the year of issuance. A chauffeur's  
13 license may be renewed within thirty days after the  
14 applicant's license expiration date without written  
15 examination or penalty. A person shall not be considered to  
16 be driving with an invalid license during a period of thirty  
17 days following the license expiration date. For any license  
18 renewed within the thirty-day period, the date of issuance  
19 shall be considered to be the previous birthday anniversary on  
20 which it expired. However, if the licensee is seventy years  
21 of age or older on the date of issuance of the license, the  
22 license shall be issued to be valid for two years. For the  
23 purposes of this section the birthday anniversary of a person  
24 born on February 29 shall be deemed to occur on March 1. The  
25 department in its discretion may waive the examination of any  
26 applicant previously licensed as a chauffeur under this  
27 chapter, provided that the person satisfactorily passes a  
28 vision test as prescribed by the department. An application  
29 for the renewal of a chauffeur's license shall be made under  
30 the direct supervision of a uniformed member of the department  
31 and shall be approved by the uniformed member.

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#### EXPLANATION

33 The bill places the fee for an operator's license at ten  
34 dollars for two years and twenty dollars for four years. The  
35 fee for a chauffeur's license is twenty dollars for two years

1 and forty dollars for four years. The fee for a minor's  
 2 school license and a minor's restricted license is ten  
 3 dollars. The bill eliminates six-year operator's licenses and  
 4 chauffeur's licenses and temporary driving permits. The bill  
 5 allows an operator's or chauffeur's license applicant to elect  
 6 whether to be issued a two-or four-year license. However, if  
 7 the applicant is seventy years of age or older, the license  
 8 may only be issued for two years. Similarly, if the  
 9 operator's license applicant is under the age of eighteen, the  
 10 license may only be issued for a period of two years.

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HOUSE FILE 167

AN ACT

RELATING TO FEES FOR, ISSUANCE OF AND DURATION OF MOTOR VEHICLE LICENSES AND REQUIRING MOTOR VEHICLE LICENSES AND NONOPERATOR'S IDENTIFICATION CARDS ISSUED TO PERSONS UNDER TWENTY-ONE YEARS OF AGE TO CONTAIN A PROFILE PHOTOGRAPH AND PROVIDING AN EFFECTIVE DATE AND CONDITIONAL REPEAL AND REENACTMENT.

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

Section 1. Section 321.189, subsection 1, unnumbered paragraph 2, Code 1987, is amended to read as follows:

A motor vehicle license or a nonoperator's identification card issued to a person under ~~nineteen~~ twenty-one years of age shall be identical in form to any other motor vehicle license or nonoperator's identification card issued to any other person, except that the photograph appearing on the face of the license or card shall be a side profile of the applicant. Upon attaining the age of ~~nineteen~~ twenty-one, and upon the payment of a one dollar fee, the person shall be entitled to a new motor vehicle license or nonoperator's identification card for the unexpired months of the motor vehicle license or the nonoperator's identification card. This paragraph is effective for licenses or cards issued after July 1, 1984 1987, to persons born after September 1, 1967.

Sec. 2. Section 321.191, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The fee for an operator's license shall be seven eight dollars if issued for a period of two years, and twenty sixteen dollars if issued for a period of six four years. The fee for a chauffeur's license shall be fourteen fifteen dollars if issued for a period of two years, and forty thirty dollars if issued for a period of six four years. The fee for an a temporary instruction permit shall be six dollars, for a chauffeur's instruction permit, twelve dollars, ~~for a temporary-driver's-permit, ten dollars~~ for a school license, ten dollars, for a restricted license issued under section 321.178, subsection 2, ten dollars and for a motorized bicycle license, ten dollars.

Sec. 3. Section 321.196, unnumbered paragraph 1, Code 1987, is amended to read as follows:

An Except as otherwise provided, an operator's license expires six, at the option of the applicant, two or four years from the licensee's birthday anniversary occurring in the year of issuance if the licensee is between the ages of eighteen and seventy years on the date of issuance of the license, otherwise the license is effective for a period of two years. The license is renewable without written examination or penalty within a period of thirty days after its expiration date. A person shall not be considered to be driving with an invalid license during a period of thirty days following the license expiration date. However, for a license renewed within the thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. Applicants whose licenses are restricted due to vision or other physical deficiencies may be required to renew their licenses every two years. For the purposes of this section the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. All applications for renewal of operators' licenses shall be made under the direct

supervision of a uniformed member of the department and shall be approved by the uniformed member. The department in its discretion may authorize the renewal of a valid license upon application without an examination provided that the applicant satisfactorily passes a vision test as prescribed by the department.

Sec. 4. Section 321.197, Code 1987, is amended to read as follows:

321.197 EXPIRATION OF CHAUFFEUR'S LICENSE.

Every Except as otherwise provided, every chauffeur's license shall expire every-six, at the option of the applicant, two or four years on from the licensee's birthday anniversary occurring in the year of issuance. A chauffeur's license may be renewed within thirty days after the applicant's license expiration date without written examination or penalty. A person shall not be considered to be driving with an invalid license during a period of thirty days following the license expiration date. For any license renewed within the thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. However, if the licensee is seventy years of age or older on the date of issuance of the license, the license shall be issued to be valid for two years. For the purposes of this section the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. The department in its discretion may waive the examination of any applicant previously licensed as a chauffeur under this chapter, provided that the person satisfactorily passes a vision test as prescribed by the department. An application for the renewal of a chauffeur's license shall be made under the direct supervision of a uniformed member of the department and shall be approved by the uniformed member.

Sec. 5. Section 321.198, unnumbered paragraph 2, Code 1987, is amended to read as follows:

The department is hereby authorized to renew any operator's motor vehicle license falling within the provisions and limitations of the preceding paragraph, without examination, upon application and payment of fee made within six months following separation from the military service.

Sec. 6. Section 321.210, unnumbered paragraph 11, Code 1987, is amended by striking the paragraph and inserting in lieu thereof the following:

The department may, on application, issue a temporary restricted license to a person, whose motor vehicle license is suspended, canceled, or revoked under this chapter, allowing the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by the person's full-time or part-time employment; continuing health care or the continuing health care of another who is dependent upon the person; continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion; substance abuse treatment; or court-ordered community service responsibilities. However, a temporary restricted license shall not be issued to a person whose license is revoked under section 321.209, subsections 1 through 5. A temporary restricted license may be issued to a person whose license is revoked under section 321.209, subsection 6, only if the person has no previous drag racing convictions. A person holding a temporary restricted license issued by the department under this section shall not operate a motor vehicle for pleasure.

Sec. 7. CONDITIONAL REPEAL AND REENACTMENT.

If 23 U.S.C. § 158 is declared unconstitutional by the appellate court of the eighth circuit or by the supreme court of the United States, or if 23 U.S.C. § 158 is repealed by the United States congress or otherwise invalidated, section 1 of

this Act is repealed and section 321.189, subsection 1, unnumbered paragraph 2, Code 1987, is reenacted to read as it did prior to the effective date of this Act.

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DONALD D. AVENSON  
Speaker of the House

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JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 167, Seventy-second General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 29, 1987

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TERRY E. BRANSTAD  
Governor

**H. F. 167**