

See Link Copy (P.472) 3-2-93 Senate Transport.

FEB 16 1993

Place On Calendar

HOUSE FILE 210
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 73)

Passed House, ^(P.435) Date 2/25/93 Passed Senate, Date 4-15-93
Vote: Ayes 87 Nays 11 Vote: Ayes 49 Nays 1
Approved 5/28/93

A BILL FOR

1 An Act to provide for a six-month revocation of the driver's
2 license of a person under the age of twenty-one who alters the
3 license to purchase alcohol.

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

5
6

8
9

10
11

12
13

14
15

16
17

18
19

20
21

22
23

HF 210

1 Section 1. NEW SECTION. 321.214 REVOCATION OF OPERATING
2 PRIVILEGES -- PURCHASE OF ALCOHOL.

3 Upon the entering of an order at the conclusion of an
4 adjudicatory hearing under section 232.47 or, if the juvenile
5 court has waived jurisdiction, upon the entering of an order
6 of conviction, in addition to any other penalty provided by
7 law, the department shall revoke the operating privileges for
8 a period not to exceed six months of a person who is under the
9 age of twenty-one, who alters or displays or has in the
10 person's possession a fictitious or fraudulently altered motor
11 vehicle license and uses the motor vehicle license to violate
12 or to attempt to violate section 123.47 or 123.47A.

13 EXPLANATION

14 This bill provides for the imposition of a six-month
15 revocation of the driver's license of a person under the age
16 of 21 who alters or displays or has in the person's possession
17 a fictitious or fraudulently altered motor vehicle license and
18 uses or attempts to use the license to purchase or provide
19 other persons under the age of 21 with alcohol.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 210

H-3136

1 Amend House File 210, as follows:

2 1. By striking everything after the enacting
3 clause, and inserting the following:

4 "Section 1. Section 321.216, Code 1993, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 9. To alter or display or have in
7 the person's possession a fictitious or fraudulently
8 altered motor vehicle license by a person who is under
9 the age of twenty-one and uses the motor vehicle
10 license to violate or attempt to violate section
11 123.47 or 123.47A. The court shall forward a copy of
12 the conviction or order of adjudication under section
13 232.47 to the department.

14 Sec. 2. Section 321.212, subsection 1, paragraph
15 a, Code 1993, is amended by adding the following new
16 unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. A suspension under
18 section 321.210, subsection 1, paragraph "d", for a
19 violation of section 321.216, subsection 9, shall not
20 exceed six months.

21 Sec. 3. Section 321A.17, subsection 5, Code 1993,
22 is amended to read as follows:

23 5. An individual applying for a motor vehicle
24 license following a period of suspension or revocation
25 under section 321.210, subsection 1, paragraph "d", or
26 section 321.210A7-~~921-216~~ or 321.513, or following a
27 period of suspension under section 321.194, is not
28 required to maintain proof of financial responsibility
29 under this section."

30 2. Title page, line 1, by striking the word
31 "revocation" and inserting the following:
32 "suspension".

By SPENNER of Henry

H-3136 FILED FEBRUARY 24, 1993

*Adapted
(p. 434) 2-25-93*

HOUSE FILE 210

H-3078

- 1 Amend House File 210 as follows:
- 2 1. Page 1, line 12, by inserting after the figure
- 3 "123.47A." the following: "The court shall forward a
- 4 copy of the order of adjudication or conviction to the
- 5 department."

By SPENNER of Henry

H-3078 FILED FEBRUARY 17, 1993

out of order

HOUSE FILE 210

H-3112

- 1 Amend the amendment, H-3078, to House File 210, as
- 2 follows:-
- 3 1. Page 1, by striking lines 2 and 3, and
- 4 inserting the following:
- 5 " . Page 1, line 12, by striking the figure
- 6 "123.47A." and inserting the following: "123.47A, or
- 7 to commit any other public offense. The court shall
- 8 forward a".
- 9 2. Page 1, by inserting after line 5, the
- 10 following:
- 11 " . Title page, line 3, by striking the words
- 12 "purchase alcohol" and inserting the following:
- 13 "commit a public offense".
- 14 3. By numbering and renumbering as necessary.

By RAFFERTY of Scott

H-3112 FILED FEBRUARY 18, 1993

out of order

HOUSE FILE 210

H-3130

- 1 Amend House File 210 as follows:
- 2 1. Page 1, by striking lines 1 through 3 and
- 3 inserting the following:
- 4 "Section 1. Section 321.216, Code 1993, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. Upon the entering of an
- 7 order at the conclusion of an".

By SPENNER of Henry

H-3130 FILED FEBRUARY 23, 1993

out of order

(P. 416) 3-3-93
Senate Sub Comm. Transportation
House Jones, Drake, Went

4-7-93 Senate - Do Pass
4-15-93 Motion to R/C by Long
(P. 1191) 4-15-93 Motion - Amended

HOUSE FILE 210
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 73)

(As Amended and Passed by the House February 25, 1993)

Passed House, ^(P. 1559) Date 4/22/93 Passed Senate, Date 4-15-93
Vote: Ayes 86 Nays 12 Vote: Ayes 49 Nays 1
Approved 5/28/93

Repassed 50-0
4-15-93 (P. 1192)
Repassed 49-0
4-26-93 (P. 1348)

A BILL FOR

1 An Act to provide for a six-month suspension of the driver's
2 license of a person under the age of twenty-one who alters the
3 license to purchase alcohol.

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

All New Language by the House

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

1 Section 1. Section 321.216, Code 1993, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 9. To alter or display or have in the
4 person's possession a fictitious or fraudulently altered motor
5 vehicle license by a person who is under the age of twenty-one
6 and uses the motor vehicle license to violate or attempt to
7 violate section 123.47 or 123.47A. The court shall forward a
8 copy of the conviction or order of adjudication under section
9 232.47 to the department.

10 Sec. 2. Section 321.212, subsection 1, paragraph a, Code
11 1993, is amended by adding the following new unnumbered
12 paragraph:

13 NEW UNNUMBERED PARAGRAPH. A suspension under section
14 321.210, subsection 1, paragraph "d", for a violation of
15 section 321.216, subsection 9, shall not exceed six months.

16 Sec. 3. Section 321A.17, subsection 5, Code 1993, is
17 amended to read as follows:

18 5. An individual applying for a motor vehicle license
19 following a period of suspension or revocation under section
20 321.210, subsection 1, paragraph "d", or section 321.210A,
21 ~~321.216~~ or 321.513, or following a period of suspension under
22 section 321.194, is not required to maintain proof of
23 financial responsibility under this section.

24
25
26
27
28
29
30
31
32
33
34
35

S-3501

- 1 Amend House File 210, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, by striking lines 1 through 9.
 4 2. Page 1, line 15, by striking the words and
 5 figures "321.216, subsection 9" and inserting the
 6 following: "321.216B".
 7 3. Page 1, by inserting after line 15 the
 8 following:
 9 "Sec. ____ . NEW SECTION. 321.216B USE OF MOTOR
 10 VEHICLE LICENSE BY UNDERAGE PERSON TO OBTAIN ALCOHOL.
 11 A person who is under the age of twenty-one, who
 12 alters or displays or has in the person's possession a
 13 fictitious or fraudulently altered motor vehicle
 14 license and who uses the license to violate or attempt
 15 to violate section 123.47 or 123.47A commits a simple
 16 misdemeanor. The court shall forward a copy of the
 17 conviction or order of adjudication under section
 18 232.47 to the department."
 19 4. Page 1, lines 20 and 21, by striking the
 20 figures "321.210A, 321.216" and inserting the
 21 following: "321.210A, 321.216 321.216B,".
 22 5. Title page, line 2, by striking the words
 23 "alters the" and inserting the following: "uses an
 24 altered".

By JEAN LLOYD-JONES

S-3501 FILED APRIL 15, 1993

ADOPTED

(P. 1188)

HOUSE FILE 210

S-3494

- 1 Amend the amendment, S-3390, to House File 210, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, by striking lines 4 and 5 and
 5 inserting the following: "months." the following:
 6 "As soon as practicable after the period of suspension
 7 has expired, the department shall expunge".
 8 2. Page 1, by inserting after line 7 the
 9 following:
 10 " ____ . Page 1, by inserting after line 15 the
 11 following:
 12 "Sec. ____ . Section 321.218, subsection 4, Code
 13 1993, is amended by adding the following new
 14 unnumbered paragraph:
 15 NEW UNNUMBERED PARAGRAPH. If the department
 16 receives a record of a conviction of a person under
 17 this section but the person's driving record does not
 18 indicate what the original grounds of suspension were,
 19 the period of suspension under this subsection shall
 20 be for a period not to exceed six months."
 21 3. By numbering and renumbering as necessary.

By LINN FUHRMAN
DERRYL McLAREN

S-3494 FILED APRIL 14, 1993

our order
4/15/95

(P. 1188)

S-3390

1 Amend House File 210, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 15, by inserting after the word
4 "months." the following: "Once the period of
5 suspension has expired, the department shall expunge
6 information regarding the suspension from the person's
7 driving record."

8 2. Page 1, by inserting after line 23, the
9 following:

10 "Sec. ____ . LEGISLATIVE INTENT. It is the intent
11 of the general assembly that suspensions of the motor
12 vehicle license or nonresident operating privileges of
13 minors under section 321.210, subsection 1, paragraph
14 "d" for a violation of section 321.216, subsection 9,
15 not be used to raise or otherwise negatively impact
16 the insurance rates of those individuals. While the
17 suspension of a motor vehicle license may serve as a
18 useful deterrent to unlawful possession of alcohol,
19 thereby achieving the effect that the general assembly
20 intends, the general assembly intends that only those
21 suspensions that are a result of moving violations be
22 used as the basis for an increase in a person's
23 premium rate for motor vehicle insurance."

24 3. By renumbering as necessary.

By LINN FUHRMAN
DERRYL McLAREN

S-3390 FILED APRIL 5, 1993

*Part of Order
4-15-93
(P. 1188)*

S-3505

1 Amend the amendment, S-3501, to House File 210, as
 2 amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 1, by striking lines 4 through 6 and
 5 inserting the following:

6 "____. Page 1, by striking line 15 and inserting
 7 the following: "section 321.216B shall not exceed six
 8 months. As soon as practicable after the period of
 9 suspension has expired, the department shall expunge
 10 information regarding the suspension from the person's
 11 driving record.""

12 2. Page 1, by inserting after line 18, the
 13 following:

14 "Sec. ____ . Section 321.218, subsection 4, Code
 15 1993, is amended by adding the following new
 16 unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. If the department
 18 receives a record of a conviction of a person under
 19 this section but the person's driving record does not
 20 indicate what the original grounds of suspension were,
 21 the period of suspension under this subsection shall
 22 be for a period not to exceed six months.""

23 3. Page 1, by inserting after line 21 the
 24 following:

25 "____. Page 1, by inserting after line 23 the
 26 following:

27 "Sec. ____ . LEGISLATIVE INTENT. It is the intent
 28 of the general assembly that suspensions of the motor
 29 vehicle license or nonresident operating privileges of
 30 minors under section 321.210, subsection 1, paragraph
 31 "d", for a violation of section 321.216B, not be used
 32 to raise or otherwise negatively impact the insurance
 33 rates of those individuals. While the suspension of a
 34 motor vehicle license may serve as a useful deterrent
 35 to unlawful possession of alcohol, thereby achieving
 36 the effect that the general assembly intends, the
 37 general assembly intends that only those suspensions
 38 that are a result of moving violations be used as the
 39 basis for an increase in a person's premium rate for
 40 motor vehicle insurance.""

41 4. By renumbering as necessary.

By LINN FUHRMAN
 DERRYL McLAREN

S-3505 FILED APRIL 15, 1993

ADOPTED

HOUSE FILE 210

S-3508

1 Amend the amendment, S-3501, to House File 210, as
 2 amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 1, by inserting after line 21 the fol-
 5 lowing:

6 "____. Title page, line 1, by striking the words
 7 "to provide" and inserting the following:
 8 "establishing a criminal offense and providing"."

9 2. By renumbering as necessary.

By JEAN LLOYD-JONES

S-3508 FILED APRIL 15, 1993

ADOPTED

SENATE AMENDMENT TO HOUSE FILE 210

H-4005

1 Amend House File 210, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 1 through 9.

4 2. Page 1, by striking line 15 and inserting the
5 following: "section 321.216B shall not exceed six
6 months. As soon as practicable after the period of
7 suspension has expired, the department shall expunge
8 information regarding the suspension from the person's
9 driving record."

10 3. Page 1, by inserting after line 15 the
11 following:

12 "Sec. ____ . NEW SECTION. 321.216B USE OF MOTOR
13 VEHICLE LICENSE BY UNDERAGE PERSON TO OBTAIN ALCOHOL.

14 A person who is under the age of twenty-one, who
15 alters or displays or has in the person's possession a
16 fictitious or fraudulently altered motor vehicle
17 license and who uses the license to violate or attempt
18 to violate section 123.47 or 123.47A commits a simple
19 misdemeanor. The court shall forward a copy of the
20 conviction or order of adjudication under section
21 232.47 to the department.

22 Sec. ____ . Section 321.218, subsection 4, Code
23 1993, is amended by adding the following new
24 unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. If the department
26 receives a record of a conviction of a person under
27 this section but the person's driving record does not
28 indicate what the original grounds of suspension were,
29 the period of suspension under this subsection shall
30 be for a period not to exceed six months."

31 4. Page 1, lines 20 and 21, by striking the
32 figures "321.210A7-~~321-216~~" and inserting the
33 following: "321.210A, ~~321-216~~ 321.216B,".

34 5. Page 1, by inserting after line 23 the
35 following:

36 "Sec. ____ . LEGISLATIVE INTENT. It is the intent
37 of the general assembly that suspensions of the motor
38 vehicle license or nonresident operating privileges of
39 minors under section 321.210, subsection 1, paragraph
40 "d", for a violation of section 321.216B, not be used
41 to raise or otherwise negatively impact the insurance
42 rates of those individuals. While the suspension of a
43 motor vehicle license may serve as a useful deterrent
44 to unlawful possession of alcohol, thereby achieving
45 the effect that the general assembly intends, the
46 general assembly intends that only those suspensions
47 that are a result of moving violations be used as the
48 basis for an increase in a person's premium rate for
49 motor vehicle insurance."

50 6. Title page, line 1, by striking the words "to

H-4005

-1-
House Concurred 4/22/93 (P. 1557)

H-4005

Page 2

1 provide" and inserting the following: "establishing a
2 criminal offense and providing".

3 7. Title page, line 2, by striking the words
4 "alters the" and inserting the following: "uses an
5 altered".

RECEIVED FROM THE SENATE

H-4005 FILED APRIL 15, 1993

HOUSE FILE 210

H-4111

1 Amend the amendment, H-4005, to House File 210, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 3, by inserting after the figure
5 "9" the following: "and inserting the following:

6 "Sec. ____ . Section 321.189, subsection 6, Code
7 1993, is amended to read as follows:

8 6. LICENSES ISSUED TO MINORS. A motor vehicle
9 license issued to a person under twenty-one years of
10 age shall be identical in form to any other motor
11 vehicle license except that the ~~word-"minor"~~ words
12 "under twenty-one" shall appear prominently on the
13 face of the license. Upon attaining the age of
14 twenty-one, and upon payment of a one dollar fee, the
15 person shall be entitled to a new motor vehicle
16 license or nonoperator's identification card for the
17 unexpired months of the motor vehicle license or
18 card."

19 2. Page 1, line 7, by inserting after the word
20 "expired," the following: "but not later than six
21 months after the date of expiration,".

22 3. By renumbering as necessary.

By SPENNER of Henry

H-4111 FILED APRIL 21, 1993

Adopted 4/22/93 (P. 1557)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 210

S-3605

1 Amend the amendment, H-4005, to House File 210, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 3, by inserting after the figure
5 "9" the following: "and inserting the following:

6 "Sec. ____ . Section 321.189, subsection 6, Code
7 1993, is amended to read as follows:

8 6. LICENSES ISSUED TO MINORS. A motor vehicle
9 license issued to a person under twenty-one years of
10 age shall be identical in form to any other motor
11 vehicle license except that the word "minor" words
12 "under twenty-one" shall appear prominently on the
13 face of the license. Upon attaining the age of
14 twenty-one, and upon payment of a one dollar fee, the
15 person shall be entitled to a new motor vehicle
16 license or nonoperator's identification card for the
17 unexpired months of the motor vehicle license or
18 card."

19 2. Page 1, line 7, by inserting after the word
20 "expired," the following: "but not later than six
21 months after the date of expiration,".

22 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3605 FILED APRIL 23, 1993

Senate Concurred 4/26/93 (p.1348)

Spenner, Chair

HSB 73

Beaman

TRANSPORTATION

Koenigs

New

HOUSE FILE 210

BY (PROPOSED COMMITTEE ON

TRANSPORTATION BILL

BY CHAIRPERSON SPENNER)

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to provide for a six-month revocation of the driver's
2 license of a minor who alters the license to purchase alcohol.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. NEW SECTION. 321.214 REVOCATION OF OPERATING
2 PRIVILEGES -- PURCHASE OF ALCOHOL.

3 Upon the entering of an order at the conclusion of an
4 adjudicatory hearing under section 232.47 or, if the juvenile
5 court has waived jurisdiction, upon the entering of an order
6 of conviction, in addition to any other penalty provided by
7 law, the department shall revoke the operating privileges for
8 a period not to exceed six months of a person who is under the
9 age of eighteen, who alters or displays or has in the person's
10 possession a fictitious or fraudulently altered motor vehicle
11 license and uses the motor vehicle license to violate or to
12 attempt to violate section 123.47.

13 EXPLANATION

14 This bill provides for the imposition of a six month
15 revocation of the driver's license of a minor who alters or
16 displays or has in the minor's possession a fictitious or
17 fraudulently altered motor vehicle license and uses or
18 attempts to use the license to purchase or provide other
19 minors with alcohol.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 210

AN ACT

ESTABLISHING A CRIMINAL OFFENSE AND PROVIDING FOR A SIX-MONTH
SUSPENSION OF THE DRIVER'S LICENSE OF A PERSON UNDER THE
AGE OF TWENTY-ONE WHO USES AN ALTERED LICENSE TO PURCHASE
ALCOHOL.

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

Section 1. Section 321.189, subsection 6, Code 1993, is amended to read as follows:

6. LICENSES ISSUED TO MINORS. A motor vehicle license issued to a person under twenty-one years of age shall be identical in form to any other motor vehicle license except that the word "minor" words "under twenty-one" shall appear prominently on the face of the license. Upon attaining the age of twenty-one, and upon 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 card.

Sec. 2. Section 321.212, subsection 1, paragraph a, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A suspension under section 321.210, subsection 1, paragraph "d", for a violation of section 321.216B shall not exceed six months. As soon as practicable after the period of suspension has expired, but not later than six months after the date of expiration, the department shall expunge information regarding the suspension from the person's driving record.

Sec. 3. NEW SECTION. 321.216B USE OF MOTOR VEHICLE LICENSE BY UNDERAGE PERSON TO OBTAIN ALCOHOL.

A person who is under the age of twenty-one, who alters or displays or has in the person's possession a fictitious or fraudulently altered motor vehicle license and who uses the license to violate or attempt to violate section 123.47 or 123.47A commits a simple misdemeanor. The court shall forward a copy of the conviction or order of adjudication under section 232.47 to the department.

Sec. 4. Section 321.218, subsection 4, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the department receives a record of a conviction of a person under this section but the person's driving record does not indicate what the original grounds of suspension were, the period of suspension under this subsection shall be for a period not to exceed six months.

Sec. 5. Section 321A.17, subsection 5, Code 1993, is amended to read as follows:

5. An individual applying for a motor vehicle license following a period of suspension or revocation under section 321.210, subsection 1, paragraph "d", or section 321.210A, 321.216 321.216B, or 321.513, or following a period of suspension under section 321.194, is not required to maintain proof of financial responsibility under this section.

Sec. 6. LEGISLATIVE INTENT. It is the intent of the general assembly that suspensions of the motor vehicle license or nonresident operating privileges of minors under section 321.210, subsection 1, paragraph "d", for a violation of section 321.216B, not be used to raise or otherwise negatively impact the insurance rates of those individuals. While the suspension of a motor vehicle license may serve as a useful deterrent to unlawful possession of alcohol, thereby achieving the effect that the general assembly intends, the general assembly intends that only those suspensions that are a result

of moving violations be used as the basis for an increase in a person's premium rate for motor vehicle insurance.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 210, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 5/28, 1993

TERRY E. BRANSTAD
Governor