

S-3/11/98 Transportation
S-3/17/98 Do Pass

FEB 24 1998
Place On Calendar

HOUSE FILE 2412
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 636)

Passed House, ^(p. 593) Date 3/11/98 Passed Senate, Date 3/23/98 (p. 816)
Vote: Ayes 93 Nays 0 Vote: Ayes 49 Nays 0
Approved March 31, 1998

A BILL FOR

1 An Act relating to optometrists' reports to the department of
2 transportation concerning a person's ability to operate a
3 motor vehicle.

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

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TF 2412

1 Section 1. Section 321.186, unnumbered paragraph 4, Code
2 1997, is amended to read as follows:

3 A physician licensed under chapter 148, 150, or 150A, or an
4 optometrist licensed under chapter 154, may report to the
5 department the identity of a person who has been diagnosed as
6 having a physical or mental condition which would render the
7 person physically or mentally incompetent to operate a motor
8 vehicle in a safe manner. The physician or optometrist shall
9 make reasonable efforts to notify the person who is the
10 subject of the report, in writing. The written notification
11 shall state the nature of the disclosure and the reason for
12 the disclosure. A physician or optometrist making a report
13 under this section shall be immune from any liability, civil
14 or criminal, which might otherwise be incurred or imposed as a
15 result of the report. A physician or optometrist has no duty
16 to make a report or to warn third parties with regard to any
17 knowledge concerning a person's mental or physical competency
18 to operate a motor vehicle in a safe manner. Any report
19 received by the department from a physician or optometrist
20 under this section shall be kept confidential. Information
21 regulated by chapter 141 shall be subject to the provisions of
22 sections 141.23 and 141.24.

23 EXPLANATION

24 This bill extends to optometrists the same authority and
25 immunity extended to physicians respecting reports to the
26 department of transportation concerning the identity of a
27 person whom the optometrist has diagnosed as having a
28 condition rendering the person incompetent to operate a motor
29 vehicle. The optometrist is to make reasonable efforts to
30 notify the subject of the report. The optometrist is immune
31 from any civil or criminal liability which might otherwise be
32 incurred as a result of the report. The optometrist has no
33 duty to report the information to third parties. The report
34 to the department is to be kept confidential.

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Carroll, Chair
Arnold
Larkin

HSB 636

TRANSPORTATION

Submitted By
SF (HF) 2412

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON WELTER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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31 from any civil or criminal liability which might otherwise be
32 incurred as a result of the report. The optometrist has no
33 duty to report the information to third parties. The report
34 to the department is to be kept confidential.

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HOUSE FILE 2413

H-8410

- 1 Amend House File 2413 as follows:
2 1. Page 1, line 33, by inserting after the word
3 "sale." the following: "However, if the transferor
4 has a salvage certificate of title for the vehicle,
5 the transferor is not required to disclose under this
6 section the total retail cost of repairs to the
7 vehicle during the period of the transferor's
8 ownership of the vehicle."

By WEIDMAN of Cass

H-8410 FILED MARCH 16, 1998

adopted 3/23/98 (P. 856)
HOUSE FILE 2413

H-8158

- 1 Amend House File 2413 as follows:
2 1. Page 1, line 13, by striking the word "five"
3 and inserting the following: "six".
4 2. Page 1, line 26, by striking the word "five"
5 and inserting the following: "six".
6 3. Page 1, line 28, by striking the word "five"
7 and inserting the following: "six".
8 4. Page 2, line 6, by striking the word "five"
9 and inserting the following: "six".
10 5. Page 2, line 10, by striking the word "five"
11 and inserting the following: "six".

By O'BRIEN of Boone

H-8158 FILED MARCH 3, 1998

HOUSE FILE 2413

H-8280

- 1 Amend House File 2413 as follows:
2 1. Page 1, line 19, by inserting after the word
3 "batteries," the following: "windshields, windows, a
4 sound system,".

By CHIODO of Polk

H-8280 FILED MARCH 10, 1998