

# Senate Study Bill 2038

## Bill Text

PAG LIN

1 1 Section 1. Section [321.1](#), subsection 11, paragraph b, Code  
1 2 Supplement 1997, is amended to read as follows:  
1 3 b. "Commercial driver's license" means a

~~motor vehicle~~

1 4 driver's license valid for the operation of a commercial motor  
1 5 vehicle.

1 6 Sec. 2. Section [321.1](#), Code Supplement 1997, is amended by  
1 7 adding the following new subsection:

1 8 NEW SUBSECTION. 20A. "Driver's license" means any license  
1 9 or permit issued to a person to operate a motor vehicle on the  
1 10 highways of this state, including but not limited to a  
1 11 temporary restricted or temporary license and an instruction,  
1 12 chauffeur's instruction, commercial driver's instruction,  
1 13 temporary restricted, or temporary permit.

1 14 For purposes of license suspension, revocation, bar,  
1 15 disqualification, cancellation, or denial under this chapter  
1 16 and chapters 321A, 321C, and 321J, "driver's license" includes  
1 17 any privilege to operate a motor vehicle.

1 18 Sec. 3. Section [321.1](#), subsection 21, Code Supplement  
1 19 1997, is amended to read as follows:

1 20 21. "Endorsement" means an authorization to a person's  
1 21

~~motor vehicle~~

- driver's license required to permit the person

1 22 to operate certain types of motor vehicles or to transport  
1 23 certain types or quantities of hazardous materials.

1 24 Sec. 4. Section [321.1](#), subsection 43, Code Supplement  
1 25 1997, is amended by striking the subsection.

1 26 Sec. 5. Section [321.23](#), subsection 1, Code Supplement  
1 27 1997, is amended to read as follows:

1 28 1. If the vehicle to be registered is a specially  
1 29 constructed, reconstructed, remanufactured, or foreign  
1 30 vehicle, such fact shall be stated in the application. A fee  
1 31 of ten dollars shall be paid by the person making the  
1 32 application upon issuance of a certificate of title by the  
1 33 county treasurer. With reference to every specially  
1 34 constructed or reconstructed motor vehicle subject to  
1 35 registration the application shall be accompanied by a  
2 1 statement from the department authorizing the motor vehicle to  
2 2 be titled and registered in this state. The department shall  
2 3 cause a physical inspection to be made of all specially  
2 4 constructed or reconstructed motor vehicles, upon application  
2 5 for a certificate of title by the owner, to determine whether  
2 6 the motor vehicle

~~is in a safe operating condition~~

- complies

2 7 with the definition of specially constructed motor vehicle or  
2 8 reconstructed motor vehicle in this chapter and to determine  
2 9 that the integral component parts are properly identified and  
2 10 that the rightful ownership is established before issuing the  
2 11 owner the authority to have the motor vehicle registered and  
2 12 titled. The purpose of the physical inspection under this

2 13 section is not to determine whether the motor vehicle is in a  
2 14 condition safe to operate. With reference to every foreign  
2 15 vehicle which has been registered outside of this state, the  
2 16 owner shall surrender to the treasurer all registration  
2 17 plates, registration cards, and certificates of title, or, if  
2 18 the vehicle to be registered is from a nontitle state, the  
2 19 evidence of foreign registration and ownership as may be  
2 20 prescribed by the department except as provided in subsection  
2 21 2.

2 22 Sec. 6. Section [321.265](#), Code 1997, is amended to read as  
2 23 follows:

2 24 321.265 STRIKING FIXTURES UPON A HIGHWAY.

2 25 The driver of a vehicle involved in an accident resulting  
2 26 in damage to property legally upon or adjacent to a highway  
2 27 shall take reasonable steps to locate and notify the owner, a  
2 28 peace officer, or person in charge of the damaged property of  
2 29 the damage and shall inform the person of the driver's name  
2 30 and address and the registration number of the vehicle causing  
2 31 the damage and shall, upon request and if available, exhibit  
2 32 the driver's

~~motor vehicle~~

- license of the driver of the

2 33 vehicle and shall report the accident when and as required in  
2 34 section 321.266.

2 35 Sec. 7. Section [321.271](#), unnumbered paragraph 1, Code  
3 1 1997, is amended to read as follows:

3 2 All accident reports filed by a driver of a vehicle  
3 3 involved in an accident as required under section 321.266  
3 4 shall be in writing. The report shall be without prejudice to  
3 5 the individual so reporting and shall be for the confidential  
3 6 use of the department, except that upon the request of any  
3 7 person involved in the accident, the person's insurance  
3 8 company or its agent, or the attorney for such person, the  
3 9 department shall disclose the identity and address of

~~the~~

3 10

~~person~~

- other persons involved in the accident and may disclose

3 11 the name of the insurance companies with whom the other  
3 12 persons have liability insurance. The department, upon  
3 13 written request of the person making the report, shall provide  
3 14 the person with a copy of that person's report. The written  
3 15 report filed with the department shall not be admissible in or  
3 16 used in evidence in any civil or criminal case arising out of  
3 17 the facts on which the report is based.

3 18 Sec. 8. Section [321.492](#), unnumbered paragraph 1, Code  
3 19 Supplement 1997, is amended to read as follows:

3 20 A peace officer is authorized to stop a vehicle to require  
3 21 exhibition of the driver's

~~motor vehicle~~

- license of the

3 22 driver, to serve a summons or memorandum of traffic violation,  
3 23 to inspect the condition of the vehicle, to inspect the  
3 24 vehicle with reference to size, weight, cargo, log book, bills  
3 25 of lading or other manifest of employment, tires, and safety  
3 26 equipment, or to inspect the registration certificate, the  
3 27 compensation certificate, travel order, or permit of the  
3 28 vehicle.

3 29 Sec. 9. Sections 18.138, 123.48, 124B.3, subsection 2,  
3 30 paragraph "a", 172B.1, 172B.3, 172B.5, 321.1A, 321.46,  
3 31 321.174, 321.177, 321.180, 321.180A, 321.181, 321.182,  
3 32 321.184, 321.186, 321.186A, 321.188, 321.191, 321.193,

3 33 321.194, 321.195, 321.196, 321.198, 321.199, 321.201, 321.205,  
3 34 321.206, 321.208, 321.210A, 321.211, 321.212, 321.213,  
3 35 321.213A, 321.215, 321.216, 321.216A, 321.220, 321.223,  
4 1 321.234A, 321.247, 321.261, 321.263, 321.485, 321.556, 321A.1,  
4 2 321A.17, 321G.9, 321G.20, 321G.24, 321J.1, 321J.2A, 321J.8,  
4 3 805.9, and 901.5, Code 1997, and sections 22.7, 232.52, 312.2,  
4 4 321.20, 321.174A, 321.189, 321.190, 321.210B, 321.216B,  
4 5 321.218, 321.218A, 321.491, 321.492, 321.555, 321A.32,  
4 6 321A.32A, 321E.34, 321J.2, 321J.4, 321J.4B, 321J.9, 321J.12,  
4 7 321J.13, 321J.17, 321J.20, 321J.21, 321J.25, 321L.3, 707.6A,  
4 8 805.8, and 805.16, Code Supplement 1997, are amended by  
4 9 striking from the sections the words "motor vehicle license"  
4 10 and inserting in lieu thereof the words "driver's license".  
4 11 Sec. 10. Sections 321.182, 321.187, 321.188, 321.191,  
4 12 321.195, and 321.216A, Code 1997, and sections 321.179,  
4 13 321.189A, and 602.8102, Code Supplement 1997, are amended by  
4 14 striking from the sections the words "motor vehicle licenses"  
4 15 and inserting in lieu thereof the words "driver's licenses".  
4 16 Sec. 11. Section [321.176](#), Code 1997, and section [321.179](#),  
4 17 Code Supplement 1997, are amended by striking from the  
4 18 sections the words "motor vehicle licensing" and inserting in  
4 19 lieu thereof the words "driver's licensing".

4 20 EXPLANATION

4 21 This bill changes the terminology for a license for an  
4 22 operator of a motor vehicle from motor vehicle license to  
4 23 driver's license.

4 24 The bill allows a person's liability insurance information  
4 25 to be made available to all other persons involved in an  
4 26 accident.

4 27 The bill changes the purpose for which the department  
4 28 causes a physical inspection to be made for specially  
4 29 constructed and reconstructed vehicles from determining  
4 30 whether the vehicle is in a safe operating condition to  
4 31 determining whether the vehicle meets the definition of a  
4 32 specially constructed or reconstructed vehicle.

4 33 LSB 3263DP 77

4 34 jm/cf/24.1