

FEB 23 2006
PUBLIC SAFETY

HOUSE FILE 2518
BY R. OLSON

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

A BILL FOR

1 An Act relating to a peace officer's statements to a person
2 operating a noncommercial motor vehicle and holding a
3 commercial driver's license who has been requested to submit
4 to a chemical test in an operating-while-intoxicated case.

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

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HF 2518

1 Section 1. Section 321J.8, subsection 3, Code 2005, is
2 amended to read as follows:

3 3. a. If the person is operating a commercial motor
4 vehicle as defined in section 321.1 and either refuses to
5 submit to the test or submits to the test and the results
6 indicate an alcohol concentration of 0.04 or more, the person
7 is disqualified from operating a commercial motor vehicle for
8 the applicable period under section 321.208 in addition to any
9 revocation of the person's driver's license or nonresident
10 operating privilege which may be applicable under this
11 chapter.

12 b. If the person is operating a noncommercial motor
13 vehicle and holding a commercial driver's license as defined
14 in section 321.1 and either refuses to submit to the test or
15 operates a motor vehicle while under the influence of an
16 alcoholic beverage or other drug or controlled substance or a
17 combination of such substances, the person is disqualified
18 from operating a commercial motor vehicle for the applicable
19 period under section 321.208 in addition to any revocation of
20 the person's driver's license or nonresident operating
21 privilege which may be applicable under this chapter.

22 This section does not apply in any case involving a person
23 described in section 321J.7.

24 EXPLANATION

25 This bill relates to a peace officer's statements to a
26 person operating a noncommercial motor vehicle and holding a
27 commercial driver's license who has been requested to submit
28 to a chemical test in an operating-while-intoxicated case.
29 The bill provides that in such a case, a person who either
30 refuses to submit to the test or operates a motor vehicle
31 while under the influence of an alcoholic beverage or other
32 drug or controlled substance or a combination of such
33 substances, is disqualified from operating a commercial motor
34 vehicle for a one-year period in addition to any revocation of
35 the person's driver's license or nonresident operating

1 privilege which may be applicable under Code chapter 321J.

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