

FILED JAN 11 2005

SENATE FILE 6

BY BRUNKHORST

JUDICIARY

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the reinstatement of a person's driver's
2 license or nonresident operating privilege following a
3 prosecution for an operating-while-intoxicated offense not
4 resulting in a conviction.

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

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SE 6 JUDICIARY

1 Section 1. NEW SECTION. 321J.2C PERSONS FOUND NOT
2 GUILTY.

3 1. Notwithstanding any other provision of this chapter to
4 the contrary, if any prosecution for a violation of section
5 321J.2 or 321J.2A does not result in a conviction, and the
6 person's driver's license or nonresident operating privilege
7 has been revoked under section 321J.12 for the occurrence from
8 which the arrest arose, the department shall, upon receipt of
9 the court order finding the person not guilty, immediately
10 rescind the revocation order and reinstate the person's
11 license or nonresident operating privilege.

12 2. Notwithstanding section 321.12 or any other provision
13 of chapter 321 or 321J to the contrary, the director shall
14 immediately destroy any operating records pertaining to a
15 revocation under section 321J.12 for the occurrence from which
16 an arrest arose when the person was subsequently prosecuted
17 and found not guilty upon receipt of the court order finding
18 the person not guilty.

19 EXPLANATION

20 This bill relates to reinstatement of a person's driver's
21 license or nonresident operating privilege following a
22 prosecution for an operating-while-intoxicated offense which
23 does not result in a conviction.

24 The bill provides that in any prosecution for an operating-
25 while-intoxicated offense that does not result in a conviction
26 where the person's driver's license or nonresident operating
27 privilege was revoked, the department of transportation shall,
28 upon receipt of the court order finding the person not guilty,
29 immediately rescind the revocation order and reinstate the
30 person's driver's license or nonresident operating privilege.

31 The bill further directs the director of the department of
32 transportation to immediately destroy any operating records
33 pertaining to the person's driver's license or nonresident
34 operating privilege revocation.

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