

# House File 886 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON LABOR

(SUCCESSOR TO HSB 272)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to revoking the driver's license or motor vehicle  
2 operating privileges of persons convicted of a controlled  
3 substance offense.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2341HV 82  
6 jm/je/5

PAG LIN

1 1 Section 1. Section 321.212, subsection 1, paragraph d,  
1 2 Code 2007, is amended by striking the paragraph.  
1 3 Sec. 2. Section 321.215, subsection 1, unnumbered  
1 4 paragraph 2, Code 2007, is amended to read as follows:  
1 5 However, a temporary restricted license shall not be issued  
1 6 to a person whose license is revoked pursuant to a court order  
1 7 issued ~~under section 901.5, subsection 10, or under section~~  
1 8 ~~321.209, subsections 1 through 5 or subsection 7; to a~~  
1 9 ~~juvenile whose license has been suspended or revoked pursuant~~  
1 10 ~~to a dispositional order under section 232.52, subsection 2,~~  
1 11 ~~paragraph "a", for a violation of chapter 124 or 453B or~~  
1 12 ~~section 126.3; to a juvenile whose license has been suspended~~  
1 13 ~~under section 321.213B; or to a person whose license has been~~  
1 14 ~~suspended pursuant to a court order under section 714.7D. A~~  
1 15 ~~temporary restricted license may be issued to a person whose~~  
1 16 ~~license is revoked under section 321.209, subsection 6, only~~  
1 17 ~~if the person has no previous drag racing convictions. A~~  
1 18 ~~person holding a temporary restricted license issued by the~~  
1 19 ~~department under this section shall not operate a motor~~  
1 20 ~~vehicle for pleasure.~~  
1 21 Sec. 3. Section 321.215, subsection 2, unnumbered  
1 22 paragraph 1, Code 2007, is amended to read as follows:  
1 23 Upon conviction and the suspension or revocation of a  
1 24 person's noncommercial driver's license under section 321.209,  
1 25 subsection 5 or 6; section 321.210; 321.210A; or 321.513; ~~or~~  
~~1 26 upon revocation pursuant to a court order issued under section~~  
~~1 27 901.5, subsection 10; or upon the denial of issuance of a~~  
1 28 noncommercial driver's license under section 321.560, based  
1 29 solely on offenses enumerated in section 321.555, subsection  
1 30 1, paragraph "c", or section 321.555, subsection 2; or a  
1 31 juvenile, whose license has been suspended or revoked pursuant  
1 32 to a dispositional order under section 232.52, subsection 2,  
1 33 paragraph "a", for a violation of chapter 124 or 453B, or  
1 34 section 126.3; or upon suspension of a driver's license  
1 35 pursuant to a court order under section 714.7D, a person may  
2 1 petition the district court having jurisdiction over the  
2 2 residence of the person for a temporary restricted license to  
2 3 operate a motor vehicle for the limited purpose or purposes  
2 4 specified in subsection 1. The petition shall include a  
2 5 current certified copy of the petitioner's official driving  
2 6 record issued by the department. The application may be  
2 7 granted only if all of the following criteria are satisfied:  
2 8 Sec. 4. Section 321.215, subsection 2, paragraph d, Code  
2 9 2007, is amended to read as follows:  
2 10 d. Proof of financial responsibility is established as  
2 11 defined in chapter 321A. However, such proof is not required  
2 12 if the driver's license was suspended under section 321.210A  
2 13 or 321.513 ~~or revoked pursuant to a court order issued under~~  
~~2 14 section 901.5, subsection 10.~~  
2 15 Sec. 5. Section 321.218, subsection 1, Code 2007, is  
2 16 amended to read as follows:  
2 17 1. A person whose driver's license or operating privilege

2 18 has been denied, canceled, suspended, or revoked as provided  
2 19 in this chapter or as provided in section 252J.8 ~~or section~~  
~~2 20 901.5, subsection 10~~, and who operates a motor vehicle upon  
2 21 the highways of this state while the license or privilege is  
2 22 denied, canceled, suspended, or revoked, commits a simple  
2 23 misdemeanor. In addition to any other penalties, the  
2 24 punishment imposed for a violation of this subsection shall  
2 25 include assessment of a fine of not less than two hundred  
2 26 fifty dollars nor more than one thousand five hundred dollars.

2 27 Sec. 6. Section 321A.17, subsection 4, Code 2007, is  
2 28 amended to read as follows:

2 29 4. An individual applying for a driver's license following  
2 30 a period of suspension or revocation pursuant to a  
2 31 dispositional order issued under section 232.52, subsection 2,  
2 32 paragraph "a", or under section 321.180B, section 321.210,  
2 33 subsection 1, paragraph "d", or section 321.210A, 321.213A,  
2 34 321.213B, 321.216B, or 321.513, following a period of  
2 35 suspension under section 321.194, ~~or following a period of~~  
~~3 1 revocation pursuant to a court order issued under section~~  
~~3 2 901.5, subsection 10~~, or under section 321J.2A, is not  
3 3 required to maintain proof of financial responsibility under  
3 4 this section.

3 5 Sec. 7. Section 901.5, subsection 10, Code 2007, is  
3 6 amended by striking the subsection.

3 7 EXPLANATION

3 8 This bill relates to revoking the driver's license or motor  
3 9 vehicle operating privileges of a person convicted of a  
3 10 controlled substance related offense.

3 11 Under the bill, the court is no longer required to revoke  
3 12 the driver's license or operating privileges of a person  
3 13 convicted of a controlled substance related offense in  
3 14 violation of Code section 124.401, 124.401A, 124.402, 124.403,  
3 15 or 126.3, or Code chapter 453B.

3 16 Current law requires the court to revoke the driver's  
3 17 license or operating privileges for 180 days, if the person is  
3 18 convicted of a controlled substance related offense under any  
3 19 of the preceding Code provisions.

3 20 LSB 2341HV 82

3 21 jm:nh/je/5