

Senate Study Bill 1178

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

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

A BILL FOR

1 An Act relating to the civil penalty imposed when the department
2 of transportation suspends or revokes a person's driver's
3 license or nonresident operating privilege for failure to
4 maintain proof of financial responsibility.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1314DP 83
7 dea/nh/5

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1 1 Section 1. Section 321A.32A, Code 2009, is amended to read
1 2 as follows:
1 3 321A.32A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.
1 4 1. When Except as provided in subsection 2, when the
1 5 department suspends, revokes, or bars a person's driver's
1 6 license or nonresident operating privilege under this chapter,
1 7 the department shall assess the person a civil penalty of two
1 8 hundred dollars. However, for persons age nineteen or under,
1 9 the civil penalty assessed shall be fifty dollars. The money
1 10 collected by the department under this section shall be
1 11 transmitted to the treasurer of state who shall deposit the
1 12 money in the juvenile detention home fund created in section
1 13 232.142. Except as provided in section 321.210B, a temporary
1 14 restricted license shall not be issued or a driver's license
1 15 or nonresident operating privilege reinstated until the civil
1 16 penalty has been paid. A person assessed a penalty under this
1 17 section may remit the civil penalty along with a processing
1 18 fee of five dollars to a county treasurer authorized to issue
1 19 driver's licenses under chapter 321M, or the civil penalty may
1 20 be paid directly to the department.
1 21 2. The department shall not assess a civil penalty under
1 22 subsection 1 when the department suspends or revokes a
1 23 person's driver's license or nonresident operating privilege
1 24 for failure to continuously maintain proof of financial
1 25 responsibility under section 321A.17 if the person had
1 26 previously given proof of financial responsibility.

1 27 EXPLANATION
1 28 Under current law, when a person's driver's license or
1 29 nonresident operating privilege is suspended or revoked by the
1 30 department of transportation, the person is assessed a civil
1 31 penalty of \$200 or, if the person is 19 years of age or under,
1 32 a civil penalty of \$50. Payment of the penalty is required
1 33 for reinstatement of the person's driving privileges, unless
1 34 it is added to the amount owing under an installment
1 35 agreement. This bill creates an exception to the civil
2 1 penalty requirement if the suspension or revocation is imposed
2 2 for failure to continuously maintain proof of financial
2 3 responsibility as required following a sanction for a
2 4 conviction for certain offenses, including operating while
2 5 intoxicated.
2 6 LSB 1314DP 83
2 7 dea/nh/5.2