

House File 2299 - Introduced

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BY WAGNER

A BILL FOR

1 An Act relating to the extension of the effective date of a
2 driver's license for a person serving on active duty in
3 military service.

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

1 Section 1. Section 321.198, subsection 1, Code 2011, is
2 amended to read as follows:

3 1. *a.* The effective date of a valid driver's license issued
4 under the laws of this state, held by any person at the time of
5 entering the military service of the United States or of the
6 state of Iowa, notwithstanding the expiration of the license
7 according to its terms, is ~~hereby~~ extended without fee until
8 six months following the initial separation from active duty
9 of the person from the military service, provided the person
10 is not suffering from physical disabilities which impair the
11 person's competency as an operator, and provided further that
12 the licensee shall furnish, upon demand of any peace officer,
13 satisfactory evidence of the person's military service.
14 However, a person entitled to the benefits of this section
15 who is charged with operating a motor vehicle without a valid
16 driver's license shall not be convicted if the person produces
17 in court, within a reasonable time, a valid driver's license
18 previously issued to that person along with satisfactory
19 evidence of the person's military service as provided in this
20 paragraph.

21 *b.* The department is authorized to renew any driver's
22 license falling within the provisions and limitations of
23 paragraph "a", without examination, upon application and
24 payment of fee made within six months following separation from
25 the military service.

26 *c.* For purposes of this subsection, a United States
27 department of defense common access card issued to a person is
28 satisfactory evidence of the person's current military service,
29 and a certificate of release or discharge from active duty,
30 commonly referred to as a DD214, is satisfactory evidence
31 of a person's previous military service and separation from
32 active duty. A person who produces a valid driver's license
33 previously issued to the person along with the person's
34 common access card or DD214 shall not be required to produce
35 any additional documentation to satisfy the requirements of

1 paragraph "a".

2 EXPLANATION

3 Currently, Code section 321.198 provides that the effective
4 date of a driver's license held by a person at the time of
5 entering the military service of the United States or of
6 the state of Iowa is extended without fee until six months
7 following the person's initial separation from active duty.
8 The person is required to furnish, upon demand of any peace
9 officer, satisfactory evidence of the person's military
10 service. If the person is charged with driving without a
11 valid driver's license, the person may avoid conviction by
12 producing in court, within a reasonable time, the driver's
13 license previously issued to the person along with evidence of
14 the person's military service. Form 430028, available from the
15 department of transportation, explains the statutory provisions
16 regarding military extensions. Pursuant to administrative
17 rule, the department recommends that a person who qualifies for
18 the military extension should request the form and carry it
19 with the person's driver's license for verification to peace
20 officers.

21 This bill amends Code section 321.198 to specify that
22 a person's department of defense common access card is
23 satisfactory evidence of current military service, and a
24 certificate of release or discharge from active duty, known
25 as a DD214, is satisfactory evidence of a person's previous
26 military service and discharge from active duty. The bill
27 provides that a person who produces either a common access card
28 or DD214, along with the driver's license previously issued to
29 the person, shall not be required to produce any additional
30 documentation to a peace officer or to a court in order to
31 satisfy the requirements for a military extension.