

**Senate Study Bill 1196 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON SODDERS)

**A BILL FOR**

1 An Act relating to the issuance of temporary restricted  
2 licenses for employment purposes.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.215A Temporary restricted  
2 employment license.

3 1. If the department denies a person's application for a  
4 temporary restricted license under section 321.215, or if a  
5 person is not eligible for a temporary restricted license under  
6 section 321.215, the department, on application, shall issue a  
7 temporary restricted employment license to the person allowing  
8 the person whose noncommercial driver's license is suspended or  
9 revoked to drive to and from the person's home and the location  
10 or locations of the person's full-time or part-time employment  
11 if all of the following are true:

12 a. The person is employed full-time or part-time, and  
13 reasonable, alternative means of transportation do not exist  
14 to the location or locations of the person's full-time or  
15 part-time employment.

16 b. The person's noncommercial driver's license has been  
17 suspended or revoked as a result of any of the following, or  
18 any combination of the following:

19 (1) A violation of section 321.218 or 321A.32, subsection  
20 1, or upon the denial of issuance of a noncommercial driver's  
21 license under section 321.560, based solely on offenses  
22 enumerated in section 321.555, subsection 1, paragraph "c".

23 (2) A court order issued under section 901.5, subsection  
24 10, based on a violation of section 124.401, subsection 1,  
25 paragraph "d", involving fifty kilograms or less of marijuana,  
26 or a violation of chapter 453B involving only possession of  
27 processed marijuana.

28 (3) Section 321.209, subsection 5 or 6.

29 (4) Section 321.210, 321.210A, or 321.513.

30 c. In order to pay fines related to the violation or  
31 violations resulting in the suspension or revocation of the  
32 person's noncommercial driver's license, the person has entered  
33 into a payment plan with the centralized collection unit of  
34 the department of revenue, the county attorney, or the county  
35 attorney's designee.

1     *d.* Proof of financial responsibility is established as  
2 defined in chapter 321A. However, such proof is not required  
3 if the driver's license was suspended under section 321.210A  
4 or 321.513 or revoked pursuant to a court order issued under  
5 section 901.5, subsection 10.

6     2. A temporary restricted employment license issued  
7 under this section shall expire six months after the date  
8 of issuance, but shall be renewable if the person remains  
9 current with the payment plan entered into with the centralized  
10 collection unit of the department of revenue, the county  
11 attorney, or the county attorney's designee.

12     3. A temporary restricted employment license shall be  
13 canceled upon conviction of a moving traffic violation or  
14 upon a violation of a term of the license. A "*moving traffic*  
15 *violation*" does not include a parking violation as defined in  
16 section 321.210.

17     4. A temporary restricted employment license is not  
18 valid to operate a commercial motor vehicle if a commercial  
19 driver's license is required for the person's operation of the  
20 commercial motor vehicle.

21     Sec. 2. Section 321.560, subsection 1, paragraph a, Code  
22 2015, is amended to read as follows:

23     *a.* A temporary restricted license may be issued pursuant to  
24 section 321.215, subsection 2, or section 321.215A, to a person  
25 declared to be a habitual offender under section 321.555,  
26 subsection 1, paragraph "*c*".

27     Sec. 3. Section 321.561, Code 2015, is amended to read as  
28 follows:

29     **321.561 Punishment for violation.**

30     It shall be unlawful for any person found to be a habitual  
31 offender to operate any motor vehicle in this state during  
32 the period of time specified in section 321.560 except for a  
33 habitual offender who has been granted a temporary restricted  
34 license pursuant to section 321.215, subsection 2, or section  
35 321.215A. A person violating this section commits an aggravated

1 misdemeanor.

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EXPLANATION

3           The inclusion of this explanation does not constitute agreement with  
4           the explanation's substance by the members of the general assembly.

5       This bill provides for the issuance of a temporary  
6 restricted employment license that only allows a person  
7 to drive to and from the person's home and the location  
8 or locations of the person's full-time or part-time  
9 employment. The license may be issued where the department  
10 of transportation has denied the person's application for a  
11 temporary restricted license under Code section 321.215 or the  
12 person is not eligible for a temporary restricted license under  
13 Code section 321.215.

14       The bill provides that to be eligible for the temporary  
15 restricted employment license, a person must be employed  
16 full-time or part-time, an alternative means of transportation  
17 must not exist to the location or locations of the person's  
18 employment, the person must have proof of financial  
19 responsibility, and in order to pay the fines related to  
20 the violation or violations resulting in the suspension  
21 or revocation of the person's driver's license, the person  
22 must have entered into a payment plan with the centralized  
23 collection unit of the department of revenue, the county  
24 attorney, or the county attorney's designee. In addition, a  
25 person is only eligible for the temporary restricted employment  
26 license if the person's driver's license was suspended or  
27 revoked for violations related to driving with a suspended or  
28 revoked driver's license, possession of marijuana in small  
29 amounts, nonpayment of fines, drag racing, reckless driving,  
30 out-of-state violations, or various other violations that  
31 may result in administrative suspension by the department of  
32 transportation.

33       The temporary restricted employment license shall expire  
34 six months after the date of issuance, but shall be renewable  
35 if the person remains current with the payment plan entered

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1 into with the centralized collection unit of the department  
2 of revenue, the county attorney, or the county attorney's  
3 designee. The temporary restricted employment license shall  
4 be canceled upon conviction of a moving traffic violation or  
5 upon a violation of a term of the license, but not for a parking  
6 violation. The temporary restricted employment license is not  
7 valid to operate a commercial motor vehicle if a commercial  
8 driver's license is required for the person's operation of the  
9 commercial motor vehicle.