

**House Study Bill 69 - Introduced**

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

**A BILL FOR**

1 An Act relating to the enforcement of motor vehicle laws and  
2 the regulation of commercial motor vehicles and certain  
3 operators by the department of transportation, and including  
4 effective date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180, subsection 2, paragraph c, Code  
2 2017, is amended to read as follows:

3 c. A commercial learner's permit shall be valid for a period  
4 not to exceed ~~one hundred eighty days~~ the period provided in  
5 49 C.F.R. §383.25(c) and 49 C.F.R. §383.73(a)(2)(iii). A  
6 ~~commercial learner's permit may be renewed for an additional~~  
7 ~~one hundred eighty days without retaking the general and~~  
8 ~~endorsement knowledge tests required by section 321.188.~~

9 Sec. 2. Section 321.477, Code 2017, is amended to read as  
10 follows:

11 **321.477 Employees as peace officers — maximum age.**

12 1. The department may designate by resolution certain of  
13 its employees upon each of whom there is hereby conferred the  
14 authority of a peace officer to enforce all laws of the state  
15 including but not limited to the rules and regulations of the  
16 department. Employees designated as peace officers pursuant  
17 to this section shall have the same powers conferred by law on  
18 peace officers for the enforcement of the laws of this state  
19 and the apprehension of violators.

20 2. Employees designated as peace officers pursuant to this  
21 section shall primarily engage in the following enforcement  
22 activities:

23 a. The enforcement of federal motor carrier safety  
24 regulations and federal motor carrier hazardous materials  
25 regulations as adopted in this chapter and in rules adopted by  
26 the department under this chapter.

27 b. The regulation of the operating authority of motor  
28 carriers.

29 c. The regulation of the movement, safety, and lawful  
30 operation of commercial motor vehicles.

31 d. The regulation of the operating authority of commercial  
32 motor vehicle operators and the enforcement of traffic and  
33 safety laws on operators of commercial motor vehicles.

34 e. The enforcement and performance of other activities  
35 necessary for the motor carrier safety assistance program and

1 the high priority program administered under 49 C.F.R. pt.  
2 350.

3 f. The investigation and enforcement of matters relating to  
4 or arising out of responsibilities entrusted to the department.

5 g. The control and ~~direct~~ direction of traffic and weigh  
6 vehicles, and to ~~make arrests for violations of the~~.

7 h. The enforcement of motor vehicle laws relating to  
8 the operating authority, registration, size, weight, and  
9 load of motor vehicles and trailers and ~~registration of a~~  
10 motor carrier's interstate transportation service with the  
11 department.

12 3. The maximum age for a person employed as a peace officer  
13 pursuant to [this section](#) is sixty-five years of age.

14 Sec. 3. EFFECTIVE UPON ENACTMENT. The section of this Act  
15 amending section 321.477, being deemed of immediate importance,  
16 takes effect upon enactment.

17 EXPLANATION

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

20 Under current law, commercial learner's permits are valid  
21 for 180 days and may be renewed for an additional 180 days  
22 without retaking the required general and endorsement knowledge  
23 tests. This bill alters that provision to incorporate by  
24 reference the validity and renewal periods provided by the  
25 code of federal regulations as well as an exemption for state  
26 driver's licensing agencies. Although the code of federal  
27 regulations specifies the same 180-day validity and renewal  
28 periods, state driver's licensing agencies are currently  
29 exempted from those periods by the federal motor carrier safety  
30 administration, and may instead allow commercial learner's  
31 permits to be valid for one year with no renewal period.

32 Current law provides that certain employees of the  
33 department of transportation (DOT) may be designated as peace  
34 officers authorized to control and direct traffic and weigh  
35 vehicles, and to make arrests for violations of the motor

1 vehicle laws relating to the operating authority, registration,  
2 size, weight, and load of motor vehicles and trailers, and  
3 registration of a motor carrier's interstate transportation  
4 service with the DOT.

5 The bill authorizes peace officers employed by the DOT  
6 to enforce all laws of the state including but not limited  
7 to the rules and regulations of the DOT. The bill requires  
8 DOT employees designated as peace officers to primarily  
9 engage in the enforcement of federal motor carrier safety  
10 regulations and federal motor carrier hazardous materials  
11 regulations; the regulation of the operating authority of  
12 motor carriers; the regulation of the movement, safety, and  
13 lawful operation of commercial motor vehicles; the regulation  
14 of the operating authority of commercial motor vehicle  
15 operators; the enforcement of traffic and safety laws on  
16 operators of commercial motor vehicles; the enforcement and  
17 performance of other activities necessary for the motor carrier  
18 safety assistance program and the high priority program;  
19 the investigation and enforcement of matters relating to or  
20 arising out of responsibilities entrusted to the DOT; the  
21 control and direction of traffic; and the enforcement of motor  
22 vehicle laws relating to the operating authority, registration,  
23 size, weight, and load of motor vehicles and trailers. This  
24 provision of the bill takes effect upon enactment.