

Senate Joint Resolution 2007 - Introduced

SENATE JOINT RESOLUTION 2007
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SJR 2003)

(COMPANION TO HJR 2008 BY
COMMITTEE ON TRANSPORTATION)

SENATE JOINT RESOLUTION

1 A Joint Resolution opposing a law of this state relating to
2 the revocation, suspension, issuance, or reinstatement of
3 driver's licenses to convicted drug offenders, and including
4 effective date provisions.

5 WHEREAS, 23 U.S.C. §159 and 23 C.F.R. pt. 192 require each
6 state to annually certify the state's compliance with 23 U.S.C.
7 §159 to the secretary of the United States department of
8 transportation and authorize the secretary to annually withhold
9 federal highway funds if a state does not meet the requirements
10 set forth in 23 U.S.C. §159(a)(3); and

11 WHEREAS, 23 U.S.C. §159(a)(3)(B) provides that a state may
12 demonstrate compliance if the governor of the state submits to
13 the secretary a written certification stating that the governor
14 is opposed to the enactment or enforcement in the state of
15 a law that meets the requirements of a law described in 23
16 U.S.C. §159(a)(3)(A), relating to the revocation, suspension,
17 issuance, or reinstatement of driver's licenses to convicted
18 drug offenders, and further submits to the secretary a written
19 certification that the state's legislature has adopted a
20 resolution expressing its opposition to such a law; and

21 WHEREAS, the general assembly finds that enforcement of
22 a law in this state that meets the requirements of a law
23 described in 23 U.S.C. §159(a)(3)(A) is unrelated to, and does
24 not promote, highway safety; is an unnecessary obstacle to the
25 mobility, employability, and rehabilitation of convicted drug
26 offenders; is an unnecessary use of state resources; and should

Senate Joint Resolution 2007 - Introduced

27 be opposed; NOW THEREFORE,

28 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. OPPOSITION TO IOWA LAW. The general assembly,
2 by this joint resolution, states its opposition to a law in
3 this state that meets the requirements of a law described in 23
4 U.S.C. §159(a)(3)(A), relating to the revocation, suspension,
5 issuance, or reinstatement of driver's licenses to convicted
6 drug offenders.

7 Sec. 2. DISTRIBUTION. A copy of this Joint Resolution shall
8 be distributed to the governor.

9 Sec. 3. EFFECTIVE DATE. This Joint Resolution, being deemed
10 of immediate importance, takes effect upon enactment.

11 EXPLANATION

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

14 This joint resolution states the general assembly's
15 opposition to a law in this state that meets the requirements
16 of a law described in 23 U.S.C. §159(a)(3)(A), relating
17 to the revocation, suspension, issuance, or reinstatement
18 of driver's licenses to convicted drug offenders. Once
19 the resolution is adopted, the governor submits a written
20 certification to the secretary of the United States department
21 of transportation (secretary) that the general assembly has
22 adopted the resolution, and the governor also submits a written
23 certification to the secretary that the governor is opposed to
24 the enactment or enforcement of such a law, the state will be
25 permitted to repeal and stop enforcement of such a law without
26 the loss of federal highway funds.

27 The resolution requires that a copy of the resolution be
28 distributed to the governor.

29 The resolution takes effect upon enactment.