

House File 2006 - Introduced

HOUSE FILE 2006

BY WOLFE

A BILL FOR

1 An Act relating to child support delinquency and licensing
2 sanctions relative to operation of a motor vehicle.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 252J.1, subsections 3 and 5, Code 2020,
2 are amended to read as follows:

3 3. *"License"* means a license, certification, registration,
4 permit, approval, renewal, or other similar authorization
5 issued to an individual by a licensing authority which
6 evidences the admission to, or granting of authority to engage
7 in, a profession, occupation, business, industry, or recreation
8 or to ~~operate~~ or register a motor vehicle. *"License"* includes
9 licenses for hunting, fishing, boating, or other recreational
10 activity but does not include a license to operate a motor
11 vehicle.

12 5. *"Licensing authority"* means a county treasurer, county
13 recorder or designated depository, the supreme court, or
14 an instrumentality, agency, board, commission, department,
15 officer, organization, or any other entity of the state, which
16 has authority within this state to suspend or revoke a license
17 or to deny the renewal or issuance of a license authorizing an
18 individual to register ~~or operate~~ a motor vehicle or to engage
19 in a business, occupation, profession, recreation, or industry,
20 but not to operate a motor vehicle.

21 Sec. 2. Section 321.218, subsection 1, Code 2020, is amended
22 to read as follows:

23 1. A person whose driver's license or operating privilege
24 has been denied, canceled, suspended, or revoked as provided
25 in ~~this chapter~~ or ~~as provided in section 252J.8~~, and who
26 operates a motor vehicle upon the highways of this state while
27 the license or privilege is denied, canceled, suspended, or
28 revoked, commits a simple misdemeanor. In addition to any
29 other penalties, the punishment imposed for a violation of
30 this subsection shall include assessment of a fine of not less
31 than two hundred fifty dollars nor more than one thousand five
32 hundred dollars.

33 Sec. 3. Section 321.218, subsection 3, paragraph a, Code
34 2020, is amended to read as follows:

35 a. The department, upon receiving the record of the

1 conviction of a person under **this section** upon a charge of
2 operating a motor vehicle while the license of the person is
3 suspended or revoked, shall, except for licenses suspended
4 under **section ~~252J.8~~, 321.210, subsection 1, paragraph "a",**
5 **subparagraph (3), or section 321.210A or 321.513,** extend the
6 period of suspension or revocation for an additional like
7 period or for one year, whichever period is shorter, and the
8 department shall not issue a new driver's license to the person
9 during the extended period.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill eliminates the application of child support
14 delinquency licensing sanctions to a license to operate a motor
15 vehicle and to a licensing authority that has the authority
16 to suspend, revoke, deny, or renew a license. Under current
17 law, a person who is ordered to pay support for the benefit
18 of a child, who is three months delinquent on that support
19 obligation and who meets additional criteria may be subject
20 to licensing sanctions. Current law defines "license" as
21 including a license to operate a motor vehicle and "licensing
22 authority" as including an entity of the state that has the
23 authority to suspend or revoke a license or to deny the renewal
24 or issuance of a license, including a license authorizing an
25 individual to operate a motor vehicle.