

House Study Bill 43 - Introduced

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

A BILL FOR

1 An Act relating to commercial driver's license requirements,
2 and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.188, subsection 1, Code 2019, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0c.* Successfully complete any entry-level
4 driver training if required under 49 C.F.R. pt. 380, subpt. F,
5 or 49 C.F.R. pt. 383, subpt. E, prior to taking a knowledge
6 test or driving skills test, the passage of which is required
7 under paragraph "c".

8 Sec. 2. Section 321.188, subsection 4, Code 2019, is amended
9 to read as follows:

10 4. The department shall check the applicant's driving
11 record as maintained by the applicant's current licensing
12 state, the national commercial driver's license information
13 system, the national drug and alcohol clearinghouse if required
14 under 49 C.F.R. §383.73, and the national driver register to
15 determine whether the applicant qualifies ~~to be issued for~~
16 the issuance, renewal, or upgrade of a commercial driver's
17 license, as applicable. The department shall notify the
18 national commercial driver's license information system of the
19 issuance, renewal, or upgrade of a commercial driver's license
20 and shall post the driver's self-certification of type of
21 driving as required by rule. The department shall also post
22 information from the medical examiner's certificate required
23 under subsection 1, paragraph "c", to the national commercial
24 driver's license information system, if required by rule.

25 Sec. 3. APPLICABILITY. The following applies to applicants
26 for which the issuance or upgrade of a commercial driver's
27 license sought by the applicant is or will be issued by
28 the department of transportation on or after February 7,
29 2020, regardless of the date the applicant submitted to the
30 department the application or other information required for
31 the issuance or upgrade of the license:

32 The section of this Act enacting section 321.188, subsection
33 1, paragraph "0c".

34 Sec. 4. APPLICABILITY. The following applies to applicants
35 for which the issuance, renewal, or upgrade of a commercial

1 driver's license sought by the applicant is or will be issued
2 by the department of transportation on or after January 6,
3 2020, regardless of the date the applicant submitted to the
4 department the application or other information required for
5 the issuance, renewal, or upgrade of the license:

6 The section of this Act amending section 321.188, subsection
7 4.

8 EXPLANATION

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

11 This bill requires commercial driver's license applicants
12 to successfully complete any entry-level driver training
13 if required under the code of federal regulations prior to
14 taking a required knowledge test or driving skills test. This
15 provision of the bill applies to applicants for which the
16 issuance or upgrade of a commercial driver's license sought
17 by the applicant is or will be issued by the department of
18 transportation (DOT) on or after February 7, 2020, regardless
19 of the date the applicant submitted to the DOT the application
20 or other information required for the issuance or upgrade of
21 the license.

22 In addition, the bill requires the DOT to check the national
23 drug and alcohol clearinghouse if required under the code
24 of federal regulations to determine whether the applicant
25 qualifies for the issuance, renewal, or upgrade of a commercial
26 driver's license. This provision of the bill applies to
27 applicants for which the issuance, renewal, or upgrade of a
28 commercial driver's license sought by the applicant is or will
29 be issued by the DOT on or after January 6, 2020, regardless
30 of the date the applicant submitted to the DOT the application
31 or other information required for the issuance, renewal, or
32 upgrade of the license.

33 The provisions of Code section 321.188 (commercial driver's
34 license requirements) are applicable to the issuance of
35 commercial learner's permits under Code section 321.180(2)(a).