

House File 828 - Introduced

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BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 521)

(SUCCESSOR TO HSB 102)

A BILL FOR

1 An Act relating to commercial driver's license driving
2 skills tests, providing fees, and including effective date
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.145, subsection 2, unnumbered
2 paragraph 1, Code 2021, is amended to read as follows:

3 Revenues derived from trailer registration fees collected
4 pursuant to sections 321.105 and 321.105A, fees charged for
5 driver's licenses and nonoperator's identification cards, fees
6 charged for commercial driver's license driving skills tests
7 pursuant to section 321.187A, fees charged for the issuance
8 of a certificate of title, the certificate of title surcharge
9 collected pursuant to section 321.52A, and revenues credited
10 pursuant to section 423.43, subsection 2, and section 423C.5
11 shall be deposited in a fund to be known as the statutory
12 allocations fund under the control of the department and
13 credited as follows:

14 Sec. 2. Section 321.186, subsection 1, Code 2021, is amended
15 to read as follows:

16 1. The department may examine every new applicant for a
17 driver's license or any person holding a valid driver's license
18 when the department has reason to believe that the person
19 may be physically or mentally incompetent to operate a motor
20 vehicle, or whose driving record appears to the department
21 to justify the examination. The department shall make every
22 effort to accommodate a functionally illiterate applicant when
23 the applicant is taking a knowledge test. ~~The department shall~~
24 ~~make every effort to have an examiner conduct the commercial~~
25 ~~driver's license driving skills tests at other locations in~~
26 ~~this state where skills may be adequately tested when requested~~
27 ~~by a person representing ten or more drivers requiring driving~~
28 ~~skills testing.~~

29 Sec. 3. Section 321.186, subsection 2, Code 2021, is amended
30 by striking the subsection.

31 Sec. 4. Section 321.187, subsection 2, paragraph a, Code
32 2021, is amended to read as follows:

33 a. The driving skills test is the same as that which
34 would otherwise be administered by the state. The fees for
35 administering a commercial driver's license driving skills test

1 as provided in sections 321.187A and 321M.6A shall not apply
2 to a driving skills test administered by a third-party tester
3 under this section.

4 Sec. 5. NEW SECTION. 321.187A **Commercial driver's license**
5 **driving skills tests — fees.**

6 1. The department shall make every effort to accommodate
7 a commercial driver's license applicant's need to arrange
8 an appointment for a driving skills test at an established
9 test site other than where the applicant passed the required
10 knowledge test. The department shall report to the governor
11 and the general assembly on any problems, extraordinary costs,
12 and recommendations regarding the appointment scheduling
13 process.

14 2. The department shall make every effort to have an
15 examiner conduct the commercial driver's license driving skills
16 tests at other locations in this state where skills may be
17 adequately tested when requested by a person representing ten
18 or more drivers requiring driving skills testing.

19 3. *a.* The driving skills test for a commercial driver's
20 license shall consist of three parts that must be completed in
21 the following order:

22 (1) The pre-trip vehicle inspection test.

23 (2) The basic vehicle control skills test.

24 (3) The on-road driving skills test.

25 *b.* If the applicant fails one part of the test, the
26 applicant shall not continue to the next part of the test, in
27 accordance with 49 C.F.R. pt. 383, subpts. E, G, and H.

28 4. The department may charge a scheduling fee not to exceed
29 twenty-five dollars to a commercial driver's license applicant
30 for the pre-trip vehicle inspection test. The department shall
31 not charge a fee to schedule or administer the basic vehicle
32 control or on-road driving skills tests.

33 5. Fees authorized under this section are nonrefundable.
34 If the applicant fails to appear for the pre-trip vehicle
35 inspection test, the appointment shall be canceled. This

1 section shall not be construed to prohibit an applicant from
2 scheduling a new test appointment upon payment of a new fee.

3 6. All fees authorized in this section are in addition to
4 any other fees imposed by law.

5 7. The department shall remit all fees collected pursuant to
6 this section monthly to the treasurer of state for deposit in
7 the statutory allocations fund.

8 8. The department may adopt rules pursuant to chapter 17A to
9 administer this section.

10 Sec. 6. NEW SECTION. **321M.6A Commercial driver's license**
11 **driving skills tests — fees.**

12 1. A county certified to issue commercial driver's licenses
13 under section 321M.6 may charge any of the following fees
14 to a commercial driver's license applicant related to the
15 administration of a driving skills test:

16 a. A fee not to exceed twenty-five dollars to administer the
17 pre-trip vehicle inspection test.

18 b. A fee not to exceed twenty-five dollars to administer the
19 basic vehicle control skills test.

20 c. A fee not to exceed twenty-five dollars to administer the
21 on-road driving skills test.

22 2. Fees authorized under this section may be assessed for
23 each test and any fees collected are nonrefundable. The fee
24 to administer the pre-trip vehicle inspection test is due at
25 the time the appointment is scheduled. All other fees are
26 due upon the completion of the test for which the fee was
27 assessed. If the applicant fails to appear for the pre-trip
28 vehicle inspection test, the appointment shall be canceled and
29 no other fees shall be due. If the applicant fails one part of
30 the driving skills test, no fees shall be due for subsequent
31 parts of the test. This section shall not be construed to
32 prohibit an applicant from scheduling a new test appointment
33 upon payment of a new fee.

34 3. All fees authorized in this section are in addition to
35 any other fees imposed by law.

1 Sec. 7. Section 321M.9, subsection 1, Code 2021, is amended
2 to read as follows:

3 1. *Fees to counties.*

4 a. Notwithstanding any other provision in the Code to the
5 contrary, the county treasurer of a county authorized to issue
6 driver's licenses under this chapter shall retain for deposit
7 in the county general fund ~~seven~~ all of the following:

8 (1) Seven dollars of fees received for each issuance or
9 renewal of driver's licenses and nonoperator's identification
10 cards, but shall not retain any moneys for the issuance of any
11 persons with disabilities identification devices.

12 (2) Twenty-five dollars of fees collected for each part of
13 a commercial driver's license driving skills test pursuant to
14 section 321M.6A.

15 (3) The five dollar processing fee charged by a county
16 treasurer for collection of a civil penalty under section
17 321J.17 ~~shall be retained for deposit in the county general~~
18 ~~fund.~~

19 b. The county treasurer shall remit the balance of fees and
20 all civil penalties to the department.

21 Sec. 8. EFFECTIVE DATE. This Act takes effect January 1,
22 2022.

23 EXPLANATION

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

26 This bill relates to commercial driver's license (CDL)
27 driving skills tests.

28 The bill allows the department of transportation (DOT) and
29 any county certified to issue CDLs to charge certain fees
30 for a CDL driving skills test. The DOT is allowed to charge
31 up to \$25 to schedule the pre-trip vehicle inspection test.
32 A county is allowed to charge a separate fee not to exceed
33 \$25 to administer each of the three parts of the CDL driving
34 skills test, as designated in the bill. The pre-trip vehicle
35 inspection test fee is due to the DOT or county, as applicable,

1 at the time the appointment is scheduled. The fees for the
2 basic vehicle control skills test and the on-road driving
3 skills test are due to the county upon completion of each test.
4 The fees do not apply to driving skills tests administered by
5 third-party testers.

6 Fees collected by the DOT under the bill are deposited in the
7 statutory allocations fund. Fees collected by a county under
8 the bill are retained by the county for deposit in the county
9 general fund.

10 All fees authorized in the bill are in addition to any other
11 fees imposed by law.

12 The bill transfers certain existing provisions relating to
13 CDL tests by the DOT to the new Code section created by the bill
14 for DOT CDL test fees.

15 The bill takes effect January 1, 2022.