

House Study Bill 102 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON BEST)

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 any of the following fees
29 to a commercial driver's license applicant related to the
30 administration of a driving skills test:

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

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

35 c. A fee not to exceed twenty-five dollars to administer the

1 on-road driving skills test.

2 5. Fees authorized under this section may be assessed for
3 each test and any fees collected are nonrefundable. The fee
4 to administer the pre-trip vehicle inspection test is due at
5 the time the appointment is scheduled. All other fees are
6 due upon the completion of the test for which the fee was
7 assessed. If the applicant fails to appear for the pre-trip
8 vehicle inspection test, the appointment shall be canceled and
9 no other fees shall be due. If the applicant fails one part of
10 the driving skills test, no fees shall be due for subsequent
11 parts of the test. This section shall not be construed to
12 prohibit an applicant from scheduling a new test appointment
13 upon payment of a new fee.

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

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

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

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

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

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

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

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

33 2. Fees authorized under this section may be assessed for
34 each test and any fees collected are nonrefundable. The fee
35 to administer the pre-trip vehicle inspection test is due at

1 the time the appointment is scheduled. All other fees are
2 due upon the completion of the test for which the fee was
3 assessed. If the applicant fails to appear for the pre-trip
4 vehicle inspection test, the appointment shall be canceled and
5 no other fees shall be due. If the applicant fails one part of
6 the driving skills test, no fees shall be due for subsequent
7 parts of the test. This section shall not be construed to
8 prohibit an applicant from scheduling a new test appointment
9 upon payment of a new fee.

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

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

14 1. *Fees to counties.*

15 a. Notwithstanding any other provision in the Code to the
16 contrary, the county treasurer of a county authorized to issue
17 driver's licenses under [this chapter](#) shall retain for deposit
18 in the county general fund ~~seven~~ all of the following:

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

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

26 (3) The five dollar processing fee charged by a county
27 treasurer for collection of a civil penalty under section
28 321J.17 ~~shall be retained for deposit in the county general~~
29 ~~fund.~~

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

32 Sec. 8. EFFECTIVE DATE. This Act takes effect January 1,
33 2022.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

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

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

4 The bill allows the department of transportation (DOT) and
5 any county certified to issue CDLs to charge certain fees for a
6 CDL driving skills test. The allowed fees include a separate
7 fee not to exceed \$25 to administer each of the three parts
8 of the CDL driving skills test, as designated in the bill.
9 The pre-trip vehicle inspection test fee is due at the time
10 the appointment is scheduled. The fees for the basic vehicle
11 control skills test and the on-road driving skills test are due
12 upon completion of each test. The fees do not apply to driving
13 skills tests administered by third-party testers.

14 Fees collected by the DOT under the bill are deposited in the
15 statutory allocations fund. Fees collected by a county under
16 the bill are retained by the county for deposit in the county
17 general fund.

18 All fees authorized in the bill are in addition to any other
19 fees imposed by law.

20 The bill transfers certain existing provisions relating to
21 CDL tests by the DOT to the new Code section created by the bill
22 for DOT CDL test fees.

23 The bill takes effect January 1, 2022.