

**House Study Bill 654 - Introduced**

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

**A BILL FOR**

1 An Act relating to third-party testers for commercial driver's  
2 license driving skills tests.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.187, subsection 2, paragraph c, Code  
2 2022, is amended to read as follows:

3 c. Any third-party skills test examiner used by the  
4 third-party tester shall meet the requirements of 49 C.F.R.  
5 §383.75 and 49 C.F.R. §384.228, as adopted by rule by the  
6 department. The department shall adopt rules ~~requiring that a~~  
7 ~~third-party tester, other than a community college established~~  
8 ~~under chapter 260C, either be an Iowa-based motor carrier, or~~  
9 ~~its subsidiary, that has its principal office within this state~~  
10 ~~and operates a permanent commercial driver training facility~~  
11 ~~in this state, or be an Iowa nonprofit corporation that serves~~  
12 ~~as a trade association for Iowa-based motor carriers regarding~~  
13 who may qualify as a third-party tester. The rules may also  
14 provide that a third-party tester conduct a number of skills  
15 test examinations above the number required under 49 C.F.R.  
16 §383.75 in order to remain qualified as a third-party tester  
17 under this section. A third-party tester, other than a  
18 community college established under chapter 260C, must be one  
19 of the following:

20 (1) An Iowa-based motor carrier, or its subsidiary, that has  
21 its principal office within this state and operates a permanent  
22 commercial driver training facility in this state.

23 (2) An Iowa nonprofit corporation that serves as a trade  
24 association for Iowa-based motor carriers.

25 (3) A public transit system or regional transit system, as  
26 those terms are defined in section 324A.1, in this state.

27 EXPLANATION

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

30 Under current law, the department of transportation (DOT) is  
31 required to examine applicants for driver's licenses. However,  
32 the DOT may designate community colleges and other third-party  
33 testers to administer the driving skills test required for  
34 a commercial driver's license (CDL). A third-party skills  
35 test examiner used by a third-party tester must meet federal

1 regulatory requirements as adopted by rule by the DOT. The DOT  
2 is required to adopt rules requiring that a third-party tester,  
3 other than a community college, either be an Iowa-based motor  
4 carrier, or its subsidiary, that has its principal office and  
5 operates a permanent commercial driver training facility in  
6 Iowa, or an Iowa nonprofit corporation that serves as a trade  
7 association for Iowa-based motor carriers.

8 This bill authorizes a public transit system (an urban or  
9 regional transit system providing transit services accessible  
10 to the general public and receiving federal, state, or local  
11 tax support) and a regional transit system (a public transit  
12 system serving one county or all or part of a multicounty  
13 area whose boundaries correspond to the same boundaries  
14 as those of the regional planning areas designated by the  
15 governor except as agreed upon by the county and the DOT) as  
16 third-party testers for CDL driving skills tests. The bill  
17 makes organizational changes to Code section 321.187(2)(c).