

**Senate Study Bill 3132 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON BROWN)

**A BILL FOR**

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

1 Section 1. Section 321.187, subsections 2 and 3, Code 2022,  
2 are amended to read as follows:

3 2. The department may by rule designate community colleges  
4 established under [chapter 260C](#) and other third-party testers to  
5 administer the knowledge and driving skills test tests required  
6 for a commercial learner's permit or commercial driver's  
7 license, provided ~~that~~ all of the following occur:

8 a. The ~~driving skills~~ test is the same as that which  
9 would otherwise be administered by the state. The fees for  
10 administering a commercial driver's license driving skills test  
11 as provided in [sections 321.187A](#) and [321M.6A](#) shall not apply  
12 to a driving skills test administered by a third-party tester  
13 under [this section](#).

14 b. The third-party tester contractually agrees to comply  
15 with the requirements of 49 C.F.R. ~~§383.75~~ pts. 383 and 384  
16 applicable to third-party knowledge and driving skills testing,  
17 as adopted by rule by the department.

18 c. Any third-party ~~skills~~ test examiner used by the  
19 third-party tester shall meet the requirements of 49 C.F.R.  
20 ~~§383.75 and 49 C.F.R. §384.228~~ pts. 383 and 384 applicable to  
21 third-party knowledge and driving skills testing, as adopted  
22 by rule by the department. The department shall adopt rules  
23 ~~requiring that a third-party tester, other than a community~~  
24 ~~college established under [chapter 260C](#), either be an Iowa-based~~  
25 ~~motor carrier, or its subsidiary, that has its principal office~~  
26 ~~within this state and operates a permanent commercial driver~~  
27 ~~training facility in this state, or be an Iowa nonprofit~~  
28 ~~corporation that serves as a trade association for Iowa-based~~  
29 ~~motor carriers~~ regarding who may qualify as a third-party  
30 tester. The rules may also provide that a third-party tester  
31 conduct a number of skills test examinations above the number  
32 required under [49 C.F.R. §383.75](#) in order to remain qualified  
33 as a third-party tester under [this section](#). A third-party  
34 tester, other than a community college established under  
35 [chapter 260C](#), must be one of the following:



1 federal regulatory requirements, and who are designated by  
2 the DOT, to administer the knowledge and driving skills tests  
3 required for commercial learner's permits and CDLs. The bill  
4 authorizes Iowa public transit systems (an urban or regional  
5 transit system providing transit services accessible to the  
6 general public and receiving federal, state, or local tax  
7 support) and Iowa regional transit systems (a public transit  
8 system serving one county or all or part of a multicounty area  
9 whose boundaries correspond to the same boundaries as those of  
10 the regional planning areas designated by the governor except  
11 as agreed upon by the county and the DOT) to be third-party  
12 testers. The bill makes organizational changes to Code  
13 section 321.187 and defines "third-party test examiner" and  
14 "third-party tester".