House Study Bill 27 - Introduced

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

A BILL FOR

1 An Act relating to restricted commercial driver's licenses for
2 certain persons employed in designated farm-related service
3 industries.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.176A, subsection 6, Code 2023, is amended by striking the subsection.

Sec. 2. Section 321.176B, Code 2023, is amended by striking the section and inserting in lieu thereof the following:

321.176B Restricted commercial driver's license.

1. The department shall, upon application and payment of the required fee, issue a restricted commercial driver's license to a person who is employed in a designated farm-related service industry if the person qualifies for a restricted commercial driver's license under 49 C.F.R. §383.3(f).

2. A person issued a restricted commercial driver's license under this section may operate a commercial motor vehicle to the fullest extent authorized under 49 C.F.R. §383.3(f).

3. The department shall adopt rules pursuant to chapter 17A to implement this section.

EXPLANATION

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

Under current law, Code section 321.176B requires the department of transportation (DOT) to adopt rules which allow exemptions from commercial driver's license (CDL) requirements for suppliers of agricultural inputs or their employees while delivering such products to their customers, if allowed under federal law. Those rules currently exist under 761 IAC 607.49. Such persons are exempt from CDL requirements under Code section 321.176A(6).

This bill strikes those provisions and instead requires the DOT to issue a restricted CDL to qualified persons who are employed in a designated farm-related service industry, as authorized under federal law. Under the bill, a restricted CDL authorizes a person to operate a commercial motor vehicle to the fullest extent authorized under 49 C.F.R. §383.3(f).

That federal rule authorizes states to waive the required knowledge and skills tests prior to issuing a CDL to certain drivers in farm-related service industries. A state is

1 authorized to issue a restricted CDL to an employee of any
2 agri-chemical businesses, custom harvesters, farm retail
3 outlets and suppliers, and livestock feeders. The federal
4 rule requires, among other things, applicants for a restricted
5 CDL to have a good driving record and to have held a motor
6 vehicle operator's license for at least one year. A restricted
7 CDL cannot be valid for more than 210 days in a calendar
8 year and must be limited to the seasonal period or periods
9 as defined by the state. A restricted CDL cannot be issued
10 with any endorsements, though certain limited endorsements may
11 apply. Restricted CDL holders are prohibited from operating
12 a commercial motor vehicle beyond 150 miles from the place of
13 business or the farm being served.
14 The current fee for a CDL is $8 per year of license validity.