

House File 2130 - Introduced

HOUSE FILE 2130
BY JONES

A BILL FOR

1 An Act relating to noncompliance with and circumvention
2 of ignition interlock device requirements, and providing
3 penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321J.20, subsections 3 and 7, Code 2026,
2 are amended to read as follows:

3 3. ~~In addition to other penalties provided by law, a person's~~
4 ~~temporary restricted license shall be revoked if the person~~ A
5 person who is required to install an ignition interlock device
6 ~~and the person under this chapter commits a simple misdemeanor~~
7 when the person operates a motor vehicle which that does not have
8 an approved ignition interlock device ~~or removes the ignition~~
9 ~~interlock device without authorization~~ installed. In addition,
10 the department shall revoke the person's temporary restricted
11 license.

12 7. A person who tampers with, removes without authorization,
13 or circumvents an ignition interlock device installed as required
14 in this chapter while the requirement for the ignition interlock
15 device is in effect commits a serious misdemeanor. In addition,
16 the department shall revoke the person's temporary restricted
17 license.

18 EXPLANATION

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

21 Under current law, a person whose driver's license is revoked
22 for operating while intoxicated is required to install an
23 ignition interlock device (IID) prior to being issued a temporary
24 restricted license (TRL) by the department of transportation
25 (DOT). The IID must be installed on every vehicle operated by
26 the person. In addition to other penalties provided by law,
27 a person's TRL must be revoked if the person is required to
28 install an IID and the person operates a motor vehicle without an
29 approved IID installed or removes the IID without authorization.

30 This bill creates a new criminal offense, punishable as a
31 simple misdemeanor, when a person who is required to install an
32 IID operates a motor vehicle that does not have an approved IID
33 installed. A simple misdemeanor is punishable by confinement for
34 no more than 30 days and a fine of at least \$105 but not more
35 than \$855. In addition, the DOT must revoke the person's TRL for

1 such an offense.

2 The bill moves the requirement for the DOT to revoke a
3 person's TRL if the person removes an IID without authorization
4 to Code section 321J.20(7), which under current law makes it a
5 serious misdemeanor when a person tampers with, removes without
6 authorization, or circumvents an IID. As a result, the DOT
7 must also revoke a person's TRL if the person tampers with or
8 circumvents the IID.

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