

House File 2653 - Introduced

HOUSE FILE 2653
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 707)

A BILL FOR

- 1 An Act relating to the suspension of a person's driver's license
- 2 for unlawful or fraudulent uses, and including applicability
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.210, subsection 1, paragraph a,
2 subparagraph (4), Code 2026, is amended to read as follows:

3 (4) Has unlawfully or fraudulently used or permitted an
4 unlawful or fraudulent use of the a license.

5 Sec. 2. Section 321.212, subsection 1, paragraph a,
6 subparagraph (2), Code 2026, is amended to read as follows:

7 (2) ~~A suspension~~ The department shall suspend a license for
8 thirty days under section 321.210, subsection 1, paragraph "a",
9 subparagraph (4), for a violation of section 321.216, 321.216A,
10 321.216B shall not exceed six months, or 321.216C. As soon as
11 practicable after the period of suspension has expired, but
12 not later than six months after the date of expiration, the
13 department shall expunge information regarding the suspension
14 from the person's driving record if the suspension was for a
15 violation of section 321.216B or 321.216C.

16 Sec. 3. Section 321.215, subsection 1, paragraph b, Code
17 2026, is amended to read as follows:

18 b. However, a temporary restricted license shall not be
19 issued to a person whose license is revoked pursuant to a court
20 order issued under section 321.209, subsections 1 through 5; to
21 a juvenile whose license has been suspended or revoked pursuant
22 to a dispositional order under section 232.52, subsection 2,
23 paragraph "a", for a violation of chapter 124 or 453B or section
24 126.3; to a person whose license has been suspended pursuant to
25 section 321.210, subsection 1, paragraph "a", subparagraph (4);
26 to a juvenile whose license has been suspended under section
27 321.213B; or to a person whose license has been suspended
28 pursuant to a court order under section 714.7D. A temporary
29 restricted license may be issued to a person whose license is
30 revoked under section 321.209, subsection 6, only if the person
31 has no previous drag racing convictions. A person holding a
32 temporary restricted license issued by the department under this
33 section shall not operate a motor vehicle for pleasure.

34 Sec. 4. Section 321.215, subsection 2, unnumbered paragraph
35 1, Code 2026, is amended to read as follows:

1 Upon conviction and the suspension or revocation of a
 2 person's noncommercial driver's license under section 321.209,
 3 subsection 5, 6, or 7, ~~or~~ section 321.210, subsection 1,
 4 paragraph "a", subparagraph (1), (2), (3), (5), (6), or (7),
 5 or section 321.210A, or 321.513; or upon the denial of
 6 issuance of a noncommercial driver's license under section
 7 321.560, based solely on offenses enumerated in section 321.555,
 8 subsection 1, paragraph "c", or section 321.555, subsection
 9 2; or upon suspension or revocation of a juvenile's driver's
 10 license pursuant to a dispositional order under section 232.52,
 11 subsection 2, paragraph "a", for a violation of chapter 124 or
 12 453B, or section 126.3; or upon suspension of a driver's license
 13 pursuant to a court order under section 714.7D, the person may
 14 apply to the department for a temporary restricted license to
 15 operate a motor vehicle for the limited purpose or purposes
 16 specified in subsection 1. The application may be granted only
 17 if all of the following criteria are satisfied:

18 Sec. 5. APPLICABILITY. This Act applies to driver's license
 19 suspensions for the unlawful or fraudulent use of a driver's
 20 license on or after July 1, 2027.

21 EXPLANATION

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

24 Under current law, the department of transportation (DOT)
 25 is authorized to adopt rules providing for the suspension of
 26 a person's driver's license for up to one year upon 30 days'
 27 notice and without preliminary hearing upon a showing by the
 28 DOT's records or other sufficient evidence that the person
 29 has, among other things, permitted an unlawful or fraudulent
 30 use of the person's license. However, if the suspension is
 31 due to a person under the age of 21 altering, displaying, or
 32 possessing a fictitious or fraudulently altered driver's license
 33 or nonoperator's identification card to obtain alcohol, the DOT
 34 is authorized to suspend the license for up to six months.

35 This bill requires the DOT to suspend, for 30 days, a person's

1 driver's license if the person unlawfully or fraudulently used or
2 permitted an unlawful or fraudulent use of a license in violation
3 of Code section 321.216 (unlawful use of license or nonoperator's
4 identification card), 321.216A (falsifying driver's licenses,
5 nonoperator's identification cards, or forms), 321.216B (use of
6 driver's license or nonoperator's identification card by underage
7 person to obtain alcohol), or 321.216C (use of driver's license
8 or nonoperator's identification card by underage person to obtain
9 tobacco, tobacco products, alternative nicotine products, vapor
10 products, or cigarettes). The bill also prohibits the DOT from
11 issuing a temporary restricted license while a person's driver's
12 license is suspended pursuant to the bill, and prevents a person
13 from applying for a temporary restricted license due to hardship
14 or circumstances where alternative means of transportation do not
15 exist.

16 The bill does not amend the requirement for the DOT to
17 expunge, as soon as practicable after the period of suspension
18 has expired but not later than six months after the date
19 of expiration, information regarding the suspension from the
20 person's driving record if the suspension was for a violation
21 of Code section 321.216B. The bill extends this expungement
22 requirement to violations of Code section 321.216C.

23 A driver's license that has been suspended is eligible for
24 reinstatement following the period of suspension upon payment of
25 a \$20 reinstatement fee.

26 The bill applies to suspensions for the unlawful or fraudulent
27 use of a driver's license on or after July 1, 2027.