

House File 418 - Reprinted

HOUSE FILE 418
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 43)

(COMPANION TO SF 226 BY
COMMITTEE ON TRANSPORTATION)

(As Amended and Passed by the House April 3, 2019)

A BILL FOR

1 An Act relating to commercial driver's license requirements,
2 and including applicability provisions.
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 2019, 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, shall 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 an Iowa nonprofit corporation that serves as
12 a trade association for Iowa-based motor carriers. The rules
13 may also provide that a third-party tester conduct a number of
14 skills test examinations above the number required under 49
15 C.F.R. §383.75 in order to remain qualified as a third-party
16 tester under this section.

17 Sec. 2. Section 321.188, subsection 1, Code 2019, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. 0c. Successfully complete any entry-level
20 driver training if required under 49 C.F.R. pt. 380, subpt. F,
21 or 49 C.F.R. pt. 383, subpt. E, prior to taking a knowledge
22 test or driving skills test, the passage of which is required
23 under paragraph "c".

24 Sec. 3. Section 321.188, subsection 4, Code 2019, is amended
25 to read as follows:

26 4. The department shall check the applicant's driving
27 record as maintained by the applicant's current licensing
28 state, the national commercial driver's license information
29 system, the national drug and alcohol clearinghouse if required
30 under 49 C.F.R. §383.73, and the national driver register to
31 determine whether the applicant qualifies to be issued for
32 the issuance, renewal, or upgrade of a commercial driver's
33 license, as applicable. The department shall notify the
34 national commercial driver's license information system of the
35 issuance, renewal, or upgrade of a commercial driver's license

1 and shall post the driver's self-certification of type of
2 driving as required by rule. The department shall also post
3 information from the medical examiner's certificate required
4 under [subsection 1](#), paragraph "c", to the national commercial
5 driver's license information system, if required by rule.

6 Sec. 4. Section 321.449, subsection 1, Code 2019, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. c. The department may adopt rules pursuant
9 to chapter 17A authorizing a person who is at least eighteen
10 years of age or over, but under twenty-one years of age, to be
11 licensed to operate a commercial motor vehicle in interstate
12 commerce if the person holds a valid commercial driver's
13 license and is authorized under federal law to operate a
14 commercial motor vehicle in interstate commerce.

15 Sec. 5. COMMERCIAL DRIVER'S LICENSE DRIVING SKILLS TEST
16 — STUDY. The department of transportation shall conduct
17 a study on access in this state to the driving skills test
18 required for issuance of a commercial driver's license. The
19 department shall evaluate and may recommend additional testing
20 options to increase access in this state to the driving skills
21 test required for issuance of a commercial driver's license.
22 The department shall submit a report, in paper or electronic
23 format, containing the department's findings, evaluation,
24 and any recommendations to the general assembly on or before
25 December 31, 2019.

26 Sec. 6. APPLICABILITY. The following applies to applicants
27 for which the issuance or upgrade of a commercial driver's
28 license sought by the applicant is or will be issued by
29 the department of transportation on or after February 7,
30 2020, regardless of the date the applicant submitted to the
31 department the application or other information required for
32 the issuance or upgrade of the license:

33 The section of this Act enacting section 321.188, subsection
34 1, paragraph "0c".

35 Sec. 7. APPLICABILITY. The following applies to applicants

1 for which the issuance, renewal, or upgrade of a commercial
2 driver's license sought by the applicant is or will be issued
3 by the department of transportation on or after January 6,
4 2020, regardless of the date the applicant submitted to the
5 department the application or other information required for
6 the issuance, renewal, or upgrade of the license:

7 The section of this Act amending section 321.188, subsection
8 4.