

House File 828 - Reprinted

HOUSE FILE 828

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 521)

(SUCCESSOR TO HSB 102)

(As Amended and Passed by the House March 23, 2021)

A BILL FOR

1 An Act relating to commercial driver's license driving
2 skills tests, providing fees, and including effective date
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.145, subsection 2, unnumbered
2 paragraph 1, Code 2021, is amended to read as follows:

3 Revenues derived from trailer registration fees collected
4 pursuant to sections 321.105 and 321.105A, fees charged for
5 driver's licenses and nonoperator's identification cards, fees
6 charged for commercial driver's license driving skills tests
7 pursuant to section 321.187A, fees charged for the issuance
8 of a certificate of title, the certificate of title surcharge
9 collected pursuant to section 321.52A, and revenues credited
10 pursuant to section 423.43, subsection 2, and section 423C.5
11 shall be deposited in a fund to be known as the statutory
12 allocations fund under the control of the department and
13 credited as follows:

14 Sec. 2. Section 321.186, subsection 1, Code 2021, is amended
15 to read as follows:

16 1. The department may examine every new applicant for a
17 driver's license or any person holding a valid driver's license
18 when the department has reason to believe that the person
19 may be physically or mentally incompetent to operate a motor
20 vehicle, or whose driving record appears to the department
21 to justify the examination. The department shall make every
22 effort to accommodate a functionally illiterate applicant when
23 the applicant is taking a knowledge test. ~~The department shall~~
24 ~~make every effort to have an examiner conduct the commercial~~
25 ~~driver's license driving skills tests at other locations in~~
26 ~~this state where skills may be adequately tested when requested~~
27 ~~by a person representing ten or more drivers requiring driving~~
28 ~~skills testing.~~

29 Sec. 3. Section 321.186, subsection 2, Code 2021, is amended
30 by striking the subsection.

31 Sec. 4. Section 321.187, subsection 2, paragraph a, Code
32 2021, is amended to read as follows:

33 a. The driving skills test is the same as that which
34 would otherwise be administered by the state. The fees for
35 administering a commercial driver's license driving skills test

1 as provided in sections 321.187A and 321M.6A shall not apply
2 to a driving skills test administered by a third-party tester
3 under this section.

4 Sec. 5. NEW SECTION. 321.187A **Commercial driver's license**
5 **driving skills tests — fees.**

6 1. The department shall make every effort to accommodate
7 a commercial driver's license applicant's need to arrange
8 an appointment for a driving skills test at an established
9 test site other than where the applicant passed the required
10 knowledge test. The department shall report to the governor
11 and the general assembly on any problems, extraordinary costs,
12 and recommendations regarding the appointment scheduling
13 process.

14 2. The department shall make every effort to have an
15 examiner conduct the commercial driver's license driving skills
16 tests at other locations in this state where skills may be
17 adequately tested when requested by a person representing ten
18 or more drivers requiring driving skills testing.

19 3. *a.* The driving skills test for a commercial driver's
20 license shall consist of three parts that must be completed in
21 the following order:

22 (1) The pre-trip vehicle inspection test.

23 (2) The basic vehicle control skills test.

24 (3) The on-road driving skills test.

25 *b.* If the applicant fails one part of the test, the
26 applicant shall not continue to the next part of the test, in
27 accordance with 49 C.F.R. pt. 383, subpts. E, G, and H.

28 4. The department may charge a scheduling fee not to exceed
29 twenty-five dollars to a commercial driver's license applicant
30 for the pre-trip vehicle inspection test. The department shall
31 not charge a fee to schedule or administer the basic vehicle
32 control or on-road driving skills tests. The department shall
33 not charge a fee under this section to an applicant who is
34 an employee or volunteer of a government agency, as defined
35 in section 553.3, and who provides reasonable proof that a

1 commercial driver's license is necessary for the applicant's
2 employment or volunteer duties for the government agency.

3 5. Fees authorized under this section are nonrefundable.
4 If the applicant fails to appear for the pre-trip vehicle
5 inspection test, the appointment shall be canceled. This
6 section shall not be construed to prohibit an applicant from
7 scheduling a new test appointment upon payment of a new fee.

8 6. All fees authorized in this section are in addition to
9 any other fees imposed by law.

10 7. The department shall remit all fees collected pursuant to
11 this section monthly to the treasurer of state for deposit in
12 the statutory allocations fund.

13 8. The department may adopt rules pursuant to chapter 17A to
14 administer this section.

15 **Sec. 6. NEW SECTION. 321M.6A Commercial driver's license**
16 **driving skills tests — fees.**

17 1. A county certified to issue commercial driver's licenses
18 under section 321M.6 may charge any of the following fees
19 to a commercial driver's license applicant related to the
20 administration of a driving skills test:

21 a. A fee not to exceed twenty-five dollars to administer the
22 pre-trip vehicle inspection test.

23 b. A fee not to exceed twenty-five dollars to administer the
24 basic vehicle control skills test.

25 c. A fee not to exceed twenty-five dollars to administer the
26 on-road driving skills test.

27 2. Fees authorized under this section may be assessed for
28 each test and any fees collected are nonrefundable. The fee
29 to administer the pre-trip vehicle inspection test is due at
30 the time the appointment is scheduled. All other fees are
31 due upon the completion of the test for which the fee was
32 assessed. If the applicant fails to appear for the pre-trip
33 vehicle inspection test, the appointment shall be canceled and
34 no other fees shall be due. If the applicant fails one part of
35 the driving skills test, no fees shall be due for subsequent

1 parts of the test. A county shall not charge a fee under
2 this section, other than the fee to administer the pre-trip
3 vehicle inspection test, to an applicant who is an employee
4 or volunteer of a government agency, as defined in section
5 553.3, and who provides reasonable proof that a commercial
6 driver's license is necessary for the applicant's employment
7 or volunteer duties for the government agency, or that the fee
8 is paid by the government agency. This section shall not be
9 construed to prohibit an applicant from scheduling a new test
10 appointment upon payment of a new fee.

11 3. All fees authorized in this section are in addition to
12 any other fees imposed by law.

13 Sec. 7. Section 321M.9, subsection 1, Code 2021, is amended
14 to read as follows:

15 1. *Fees to counties.*

16 a. Notwithstanding any other provision in the Code to the
17 contrary, the county treasurer of a county authorized to issue
18 driver's licenses under [this chapter](#) shall retain for deposit
19 in the county general fund ~~seven~~ all of the following:

20 (1) Seven dollars of fees received for each issuance or
21 renewal of driver's licenses and nonoperator's identification
22 cards, but shall not retain any moneys for the issuance of any
23 persons with disabilities identification devices.

24 (2) Twenty-five dollars of fees collected for each part of
25 a commercial driver's license driving skills test pursuant to
26 section 321M.6A.

27 (3) The five dollar processing fee charged by a county
28 treasurer for collection of a civil penalty under section
29 321J.17 ~~shall be retained for deposit in the county general~~
30 ~~fund.~~

31 b. The county treasurer shall remit the balance of fees and
32 all civil penalties to the department.

33 Sec. 8. EFFECTIVE DATE. This Act takes effect January 1,
34 2022.