

House File 788 - Reprinted

HOUSE FILE 788

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 162)

(As Amended and Passed by the House March 5, 2026)

A BILL FOR

1 An Act requiring state employees to provide a specimen for
2 alcohol and drug analysis following certain motor vehicle
3 accidents or collisions resulting in serious injury or
4 death under certain circumstances, and making penalties
5 applicable.

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

1 Section 1. NEW SECTION. 321.270 Required alcohol and
2 drug analysis for state employees operating state-owned motor
3 vehicles.

4 1. A state employee who was involved in an accident or
5 collision resulting in serious injury or death while operating
6 a motor vehicle owned by the state shall provide a specimen of
7 the person's urine for analysis of the specimen to determine
8 the alcohol concentration or presence of a controlled substance
9 or other drugs, if there is probable cause that the person
10 was operating a motor vehicle in violation of section 321J.2
11 or 321J.2A. The person shall provide the specimen to a peace
12 officer as soon as practicable within two hours after the
13 person is involved in the accident or collision.

14 2. A specimen provided under this section shall be analyzed
15 in a manner in accordance with chapter 321J to determine the
16 alcohol concentration or presence of a controlled substance or
17 other drugs.

18 3. The person may have an independent analysis performed
19 on the provided specimen, administered at the person's own
20 expense. The failure or inability of the person to obtain
21 an independent analysis does not preclude the admission of
22 evidence of the results of the analysis administered pursuant
23 to this section. Upon the request of the person who provided a
24 specimen, the results of the analysis administered pursuant to
25 this section shall be made available to the person.

26 4. This section does not apply if a blood, breath, or urine
27 specimen is taken pursuant to chapter 321J.

28 5. For purposes of this section, "*serious injury*" means the
29 same as defined in section 702.18.