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)
[= New Language by the House

A BILL FOR

An Act relating to commercial driver's license requirements, and including applicability provisions.

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

Section 1. Section 321.187, subsection 2, paragraph c, Code 2019, is amended to read as follows:

c. Any third-party skills test examiner used by the third-party tester shall meet the requirements of 49 C.F.R. §383.75 and 49 C.F.R. §384.228, as adopted by rule by the department. The department shall adopt rules requiring that a third-party tester, other than a community college established under chapter 260C, shall be an Iowa-based motor carrier, or its subsidiary, that has its principal office within this state and operates a permanent commercial driver training facility in this state, or an Iowa nonprofit corporation that serves as a trade association for Iowa-based motor carriers. The rules may also provide that a third-party tester conduct a number of skills test examinations above the number required under 49 C.F.R. §383.75 in order to remain qualified as a third-party tester under this section.

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

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

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

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

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

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

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

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

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

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

Sec. 7. APPLICABILITY. The following applies to applicants

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

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