SENATE FILE 2426
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 2173)

(COMPANION TO LSB 5328HV BY
COMMITTEE ON TRANSPORTATION)

(As Amended and Passed by the Senate February 25, 2026)

_____ and [= New Language by the Senate

* = Language Stricken by the Senate

A BILL FOR

An Act relating to sufficient English language proficiency requirements for commercial drivers, providing penalties, and including applicability provisions.

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

Section 1. Section 321.177, Code 2026, is amended by adding the following new subsection:

NEW SUBSECTION. 10. To any person to operate a commercial motor vehicle if the person fails to demonstrate proficiency in the English language under section 321.187B, subsection 1.

Sec. 2. NEW SECTION. **321.187B English language proficiency examinations for commercial drivers.**

1. *a.* Except as provided in paragraph "*b*", the department shall examine the English language proficiency of each person who applies for issuance or renewal of a commercial driver's license or commercial learner's permit. The examination must require the person to demonstrate proficiency in the English language sufficient to meet the requirements of 49 C.F.R. §391.11(b)(2). The department shall administer the examination in a computer-based format.

b. The department shall not examine an applicant's English language proficiency if the applicant submits proof, as determined by the department, that the applicant is sufficiently proficient in the English language by having previously successfully completed the examination required under paragraph "*a*".

c. The department shall deny the issuance or renewal of a commercial driver's license or commercial learner's permit unless the person applying for or renewing the license or permit submits satisfactory proof, as determined by the department, that the person is sufficiently proficient in the English language based on successful completion of the examination required under paragraph "*a*".

d. An applicant shall not be prohibited from retaking the examination under paragraph "*a*", subject to the availability of the examination as determined by the department.

e. The department may adopt rules pursuant to chapter 17A to administer this subsection.

2. The department shall not comply with a provision of this section if compliance would cause the denial of federal funds

or services or otherwise violate federal law. The department shall comply with federal law to the extent necessary to prevent the denial of federal funds or services.

Sec. 3. NEW SECTION. **321.449C English language proficiency — commercial drivers and commercial motor carriers.**

1. A person who is not able to demonstrate proficiency in the English language sufficient to meet the requirements of 49 C.F.R. §391.11(b)(2) shall not operate a commercial motor vehicle.

a. Except as provided in paragraph "*b*", a person who violates this subsection commits a serious misdemeanor. The court shall impose a fine of one thousand dollars and the court may order imprisonment not to exceed one year.

b. In lieu of the criminal penalty under paragraph "*a*", a peace officer shall issue an out-of-service order to a person who violates this subsection if the person holds an unexpired commercial driver's license or commercial learner's permit that was issued by the department after the person successfully completed the English language proficiency examination under section 321.187B, subsection 1, paragraph "*a*".

2. A commercial motor carrier shall not employ or engage the services of a commercial driver, including as an independent contractor, who is not sufficiently proficient in the English language in accordance with 49 C.F.R. §391.11(b)(2). A carrier who violates this subsection commits a serious misdemeanor. In addition to any other penalty, a carrier who violates this subsection is subject to a civil penalty to be imposed and collected by the department and deposited in the road use tax fund, as follows:

a. Three thousand dollars for a first violation.

b. Five thousand dollars for a second violation.

c. Ten thousand dollars for a third or subsequent violation.

3. *a.* The commercial motor carrier who employed or engaged the services of a person, including as an independent contractor, who was operating a commercial motor vehicle in

violation of subsection 1 shall be notified of the vehicle's location by the officer who made the stop, and may arrange for another person, who is a commercial driver with sufficient proficiency in the English language, to take possession of the vehicle. Prior to taking possession of the vehicle, the commercial motor carrier must pay the applicable civil penalty under subsection 2.

b. If a commercial motor carrier fails to pay the civil penalty and provide a commercial driver with sufficient proficiency in the English language within twelve hours after notification, the owner of any cargo being transported in the commercial motor vehicle shall be notified by the officer who made the stop and the owner may arrange for the transfer of the cargo to another vehicle.

c. If a commercial vehicle is removed from a highway in response to a violation of this section, the state, the local authority, and the owner of the cargo inside the vehicle shall not be liable for any damages that result from the removal, or for any reasonable action to transfer such cargo.

4. The department and a person whose duty includes enforcing this section shall cease all actions relating to enforcing a provision of this section if enforcing the provision would cause the denial of federal funds or services or otherwise violate federal law.

Sec. 4. APPLICABILITY. The section of this Act enacting section 321.187B applies on and after March 1, 2027, or the date the department of transportation submits to the Iowa administrative code editor for publication in the Iowa administrative bulletin a statement by the director of transportation that the applicable phase of the department of transportation's new records system is implemented, whichever is earlier. The department shall also forward a copy of the statement to the Iowa Code editor.