

3. As used in this section, the terms "vendor" and "vendee" include a successor in interest but the term "vendee" excludes a vendee who assigned or conveyed of record all of the vendee's interest in the real estate.

Approved May 29, 1987

## CHAPTER 167

### MOTOR VEHICLE LICENSES AND NONOPERATORS' IDENTIFICATION CARDS

#### H.F. 167

**AN ACT** relating to fees for, issuance of and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.189, subsection 1, unnumbered paragraph 2, Code 1987, is amended to read as follows:

A motor vehicle license or a nonoperator's identification card issued to a person under ~~nineteen~~ twenty-one years of age shall be identical in form to any other motor vehicle license or nonoperator's identification card issued to any other person, except that the photograph appearing on the face of the license or card shall be a side profile of the applicant. Upon attaining the age of ~~nineteen~~ twenty-one, and upon the payment of a one dollar fee, the person shall be entitled to a new motor vehicle license or nonoperator's identification card for the unexpired months of the motor vehicle license or the nonoperator's identification card. This paragraph is effective for licenses or cards issued after July 1, ~~1984~~ 1987, to persons born after September 1, 1967.

Sec. 2. Section 321.191, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The fee for an operator's license shall be ~~seven~~ eight dollars if issued for a period of two years, and ~~twenty~~ sixteen dollars if issued for a period of ~~six~~ four years. The fee for a chauffeur's license shall be ~~fourteen~~ fifteen dollars if issued for a period of two years, and ~~forty~~ thirty dollars if issued for a period of ~~six~~ four years. The fee for ~~an~~ a temporary instruction permit shall be six dollars, for a chauffeur's instruction permit, twelve dollars, ~~for a temporary driver's permit,~~ ten dollars for a school license, ten dollars, for a restricted license issued under section 321.178, subsection 2, ten dollars and for a motorized bicycle license, ten dollars.

Sec. 3. Section 321.196, unnumbered paragraph 1, Code 1987, is amended to read as follows:

~~An~~ Except as otherwise provided, an operator's license expires ~~six,~~ at the option of the applicant, two or four years from the licensee's birthday anniversary occurring in the year of issuance if the licensee is between the ages of eighteen and seventy years on the date of issuance of the license, otherwise the license is effective for a period of two years. The license is renewable without written examination or penalty within a period of thirty days after its expiration date. A person shall not be considered to be driving with an invalid license during a period of thirty days following the license expiration date. However, for a license renewed within the thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. Applicants whose licenses are restricted due to vision or other physical deficiencies may be required to renew their licenses every two years. For the purposes of this section the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. All applications for renewal of operators' licenses shall be made under the direct supervision of a uniformed member of the department and shall be approved by the uniformed member. The department in its discretion may authorize the renewal of a valid

license upon application without an examination provided that the applicant satisfactorily passes a vision test as prescribed by the department.

Sec. 4. Section 321.197, Code 1987, is amended to read as follows:

**321.197 EXPIRATION OF CHAUFFEUR'S LICENSE.**

Every Except as otherwise provided, every chauffeur's license shall expire every six, at the option of the applicant, two or four years on from the licensee's birthday anniversary occurring in the year of issuance. A chauffeur's license may be renewed within thirty days after the applicant's license expiration date without written examination or penalty. A person shall not be considered to be driving with an invalid license during a period of thirty days following the license expiration date. For any license renewed within the thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. However, if the licensee is seventy years of age or older on the date of issuance of the license, the license shall be issued to be valid for two years. For the purposes of this section the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. The department in its discretion may waive the examination of any applicant previously licensed as a chauffeur under this chapter, provided that the person satisfactorily passes a vision test as prescribed by the department. An application for the renewal of a chauffeur's license shall be made under the direct supervision of a uniformed member of the department and shall be approved by the uniformed member.

Sec. 5. Section 321.198, unnumbered paragraph 2, Code 1987, is amended to read as follows:

The department is hereby authorized to renew any ~~operator's motor vehicle~~ license falling within the provisions and limitations of the preceding paragraph, without examination, upon application and payment of fee made within six months following separation from the military service.

Sec. 6. Section 321.210, unnumbered paragraph 11, Code 1987, is amended by striking the paragraph and inserting in lieu thereof the following:

The department may, on application, issue a temporary restricted license to a person, whose motor vehicle license is suspended, canceled, or revoked under this chapter, allowing the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by the person's full-time or part-time employment; continuing health care or the continuing health care of another who is dependent upon the person; continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion; substance abuse treatment; or court-ordered community service responsibilities. However, a temporary restricted license shall not be issued to a person whose license is revoked under section 321.209, subsections 1 through 5. A temporary restricted license may be issued to a person whose license is revoked under section 321.209, subsection 6, only if the person has no previous drag racing convictions. A person holding a temporary restricted license issued by the department under this section shall not operate a motor vehicle for pleasure.

Sec. 7. **CONDITIONAL REPEAL AND REENACTMENT.**

If 23 U.S.C. § 158 is declared unconstitutional by the appellate court of the eighth circuit or by the supreme court of the United States, or if 23 U.S.C. § 158 is repealed by the United States congress or otherwise invalidated, section 1 of this Act is repealed and section 321.189, subsection 1, unnumbered paragraph 2, Code 1987, is reenacted to read as it did prior to the effective date of this Act.

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