

761—620.3(321J) Issuance of temporary restricted license.**620.3(1) Eligibility and application.**

a. The department may issue a temporary restricted license to a person who is eligible under and for the purposes listed in Iowa Code chapter 321J. The department shall not issue a temporary restricted license to a person who is otherwise ineligible.

b. To apply for a temporary restricted license, an applicant shall, at any time before or during the revocation period, submit application Form 430400 to the motor vehicle division. The application form should be furnished by the arresting officer. It may also be obtained upon oral or written request to the motor vehicle division.

620.3(2) Additional requirements. A person applying for a temporary restricted license shall also comply with all of the following requirements:

a. Provide a description of all motor vehicles operated under the temporary restricted license if the person has no previous operating while intoxicated conviction or revocation. If the person has a second or subsequent operating while intoxicated conviction or revocation, the person shall provide a description of all motor vehicles owned by such person or operated under the temporary restricted license.

b. Submit proof of financial responsibility under Iowa Code chapter 321A for all motor vehicles owned or operated under the temporary restricted license.

c. Provide certification of installation of an approved ignition interlock device on every motor vehicle operated if the person has no previous operating while intoxicated conviction or revocation. If the person has a second or subsequent operating while intoxicated conviction or revocation, the person shall provide certification of installation of an approved ignition interlock device on every motor vehicle owned by such person or operated under the temporary restricted license.

d. Pay the \$200 civil penalty.

620.3(3) Issuance and restrictions.

a. The department shall not issue the temporary restricted license until the application is approved, all requirements are met, the applicable reinstatement and license fees have been paid, and the applicant has passed the appropriate examination for the type of vehicle to be operated under the temporary restricted license.

b. The department shall determine the restrictions to be imposed by the temporary restricted license. The licensee shall apply to the department in writing with a justification for any requested change in license restrictions.

620.3(4) Denial. A person who has been denied a temporary restricted license or who contests the restrictions imposed by the department may request an informal settlement conference by submitting a written request to the director of the motor vehicle division. Following an unsuccessful informal settlement or instead of that procedure, the person may request a contested case hearing in accordance with rule 761—620.4(321J).

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