

Senate File 226 - Introduced

SENATE FILE 226

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1049)

A BILL FOR

1 An Act relating to commercial driver's license requirements,
2 and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

3 c. Any third-party skills test examiner used by the
4 third-party tester shall meet the requirements of 49 C.F.R.
5 §383.75 and 49 C.F.R. §384.228, as adopted by rule by the
6 department. The department shall adopt rules requiring that a
7 third-party tester, other than a community college established
8 under chapter 260C, shall be an Iowa-based motor carrier, or
9 its subsidiary, that has its principal office within this state
10 and operates a permanent commercial driver training facility
11 in this state, or an Iowa nonprofit corporation that serves as
12 a trade association for Iowa-based motor carriers. The rules
13 may also provide that a third-party tester conduct a number of
14 skills test examinations above the number required under 49
15 C.F.R. §383.75 in order to remain qualified as a third-party
16 tester under this section.

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

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

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

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

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

6 Sec. 4. APPLICABILITY. The following applies to applicants
7 for which the issuance or upgrade of a commercial driver's
8 license sought by the applicant is or will be issued by
9 the department of transportation on or after February 7,
10 2020, regardless of the date the applicant submitted to the
11 department the application or other information required for
12 the issuance or upgrade of the license:

13 The section of this Act enacting section 321.188, subsection
14 1, paragraph "0c".

15 Sec. 5. APPLICABILITY. The following applies to applicants
16 for which the issuance, renewal, or upgrade of a commercial
17 driver's license sought by the applicant is or will be issued
18 by the department of transportation on or after January 6,
19 2020, regardless of the date the applicant submitted to the
20 department the application or other information required for
21 the issuance, renewal, or upgrade of the license:

22 The section of this Act amending section 321.188, subsection
23 4.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 Current law allows third-party testers to administer driving
28 skills tests required for a commercial driver's license. A
29 third-party tester, other than a community college, must be
30 an Iowa-based motor carrier, or its subsidiary, that has its
31 principal office within this state and operates a permanent
32 commercial driver training facility in this state. This bill
33 allows an Iowa nonprofit corporation that serves as a trade
34 association for Iowa-based motor carriers to be a third-party
35 tester.

1 The bill requires commercial driver's license applicants
2 to successfully complete any entry-level driver training
3 if required under the code of federal regulations prior to
4 taking a required knowledge test or driving skills test. This
5 provision of the bill applies to applicants for which the
6 issuance or upgrade of a commercial driver's license sought
7 by the applicant is or will be issued by the department of
8 transportation (DOT) on or after February 7, 2020, regardless
9 of the date the applicant submitted to the DOT the application
10 or other information required for the issuance or upgrade of
11 the license.

12 In addition, the bill requires the DOT to check the national
13 drug and alcohol clearinghouse if required under the code
14 of federal regulations to determine whether the applicant
15 qualifies for the issuance, renewal, or upgrade of a commercial
16 driver's license. This provision of the bill applies to
17 applicants for which the issuance, renewal, or upgrade of a
18 commercial driver's license sought by the applicant is or will
19 be issued by the DOT on or after January 6, 2020, regardless
20 of the date the applicant submitted to the DOT the application
21 or other information required for the issuance, renewal, or
22 upgrade of the license.

23 The provisions of Code section 321.188 (commercial driver's
24 license requirements) are applicable to the issuance of
25 commercial learner's permits under Code section 321.180(2)(a).