

Senate Study Bill 1060 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

A BILL FOR

1 An Act relating to third-party testers who administer the
2 knowledge and driving skills tests required for a commercial
3 learner's permit or commercial driver's license.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.187, subsection 2, paragraph c, Code
2 2023, is amended to read as follows:

3 c. Any third-party test examiner used by the third-party
4 tester shall ~~meet~~ comply with the requirements of 49 C.F.R.
5 pts. 383 and 384 applicable to third-party knowledge and
6 driving skills testing, as adopted by rule by the department.
7 The department shall adopt rules regarding who may qualify as a
8 third-party tester. The department may adopt rules ~~may also~~
9 ~~provide that~~ doing any of the following:

10 (1) Requiring a third-party tester to conduct a number of
11 skills test examinations above the number required under 49
12 C.F.R. §383.75 in order to remain qualified as a third-party
13 tester under this section. ~~A third-party tester, other than a~~
14 ~~community college established under chapter 260C, must be one~~
15 ~~of the following:~~

16 ~~(1) An Iowa-based motor carrier, or its subsidiary, that has~~
17 ~~its principal office within this state and operates a permanent~~
18 ~~commercial driver training facility in this state.~~

19 ~~(2) An Iowa nonprofit corporation that serves as a trade~~
20 ~~association for Iowa-based motor carriers.~~

21 ~~(3) A public transit system or regional transit system, as~~
22 ~~those terms are defined in section 324A.1, in this state.~~

23 (2) Restricting the testing scope of a third-party tester.

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 Under current law, the department of transportation (DOT)
28 must examine applicants for driver's licenses. The DOT
29 is authorized to designate community colleges and other
30 third-party testers to administer the knowledge and driving
31 skills tests required for a commercial learner's permit or
32 commercial driver's license. A third-party tester, other than
33 a community college, must be an Iowa-based motor carrier that
34 operates a permanent commercial driver training facility in
35 Iowa, an Iowa nonprofit corporation that serves as a trade

1 association for Iowa-based motor carriers, or a public or
2 regional transit system.

3 This bill strikes the provisions that identify particular
4 types of third-party testers, other than community colleges;
5 requires any third-party test examiner used by a third-party
6 tester to comply with existing federal regulations applicable
7 to third-party knowledge and driving skills testing, as adopted
8 by rule by the DOT; and authorizes the DOT to adopt rules
9 restricting the testing scope of a third-party tester.