

Senate File 2426 - Reprinted

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)

A BILL FOR

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

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

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

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

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

8 1. *a.* Except as provided in paragraph "b", the department
9 shall examine the English language proficiency of each person
10 who applies for issuance or renewal of a commercial driver's
11 license or commercial learner's permit. The examination must
12 require the person to demonstrate proficiency in the English
13 language sufficient to meet the requirements of 49 C.F.R.
14 §391.11(b)(2). The department shall administer the examination
15 in a computer-based format.

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

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

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

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

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

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

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

6 1. A person who is not able to demonstrate proficiency in
7 the English language sufficient to meet the requirements of
8 49 C.F.R. §391.11(b)(2) shall not operate a commercial motor
9 vehicle.

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

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

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

30 a. Three thousand dollars for a first violation.

31 b. Five thousand dollars for a second violation.

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

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

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

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

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

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

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