

REDUCTION OF HIGHWAY FATALITIES STUDY COMMITTEE

Report to the Legislative Council
and the Members of the
Second Session of the Sixty-fifth General Assembly
State of Iowa
1974

F I N A L R E P O R T

REDUCTION OF HIGHWAY FATALITIES STUDY COMMITTEE

Senate Concurrent Resolution 47, introduced during the First Session of the Sixty-fifth General Assembly, requested that the Iowa Legislative Council establish a study committee to conduct a comprehensive study of alcohol-related highway fatalities and the means by which these fatalities may be reduced. On July 11, 1973, the Legislative Council created a ten-member study committee to conduct the study. The members of the Reduction of Highway Fatalities Study Committee are as follows:

Senator William M. Plymat
Senator Earl E. Priebe
Senator Richard R. Ramsey
Senator Cloyd E. Robinson
Senator Ray Taylor
Representative Norman P. Dunlap
Representative Thomas J. Higgins
Representative C. W. Hutchins
Representative Robert M. Creamer
Representative Henry C. Wulff

At its meeting of August 31, 1973, the Reduction of Highway Fatalities Study Committee elected Representative Robert M. Creamer as Chairman and Senator William M. Plymat as Vice Chairman. The Study Committee agreed to concentrate its efforts on possible legislation to curb alcohol-related highway fatalities, but also indicated its desire to consider any other legislative proposals which might reduce highway fatalities. The Study Committee also agreed to consider several areas of the federal highway safety program recommendations.

The Study Committee held four meetings. It received input from the Office for Planning and Programming, the Department of Public Safety, and the Iowa Independent Insurance Agents. The Study Committee reviewed legislative proposals which were filed during the First Session of the Sixty-fifth General Assembly. Based upon the Committee's study of the causes of highway fatalities, the Study Committee makes the following recommendations:

1. That the Sixty-fifth General Assembly, Second Session, enact Senate File 318. Senate File 318 redefines the offense of operating a motor vehicle while under the influence of alcoholic beverages. It relates operating under the influence directly to the amount of alcohol found in a person's blood and provides for two levels of the offense with penalties in proportion to the amount of alcohol found to be present. The bill provides that a person shall be fined one hundred dollars and have his license suspended for thirty days if he is found to be driving while there is five hundredths or more of one percent by weight of alcohol in his blood. If there is found to be ten hundredths or more of one percent, he may be punished for a first offense by a fine of not less than three hundred dollars nor more than one thousand dollars and by a term in jail of not less than two days nor more than

thirty days; on a second offense, by a fine of not less than five hundred dollars nor more than one thousand dollars, by a term in jail of not less than ten days nor more than ninety, and by revocation of his license for not less than two years; and for a third offense, the present penalties will apply and in addition, the individual's license would be permanently revoked. Senate File 318 also amends the implied consent law to allow tests to be made prior to the arrest of a person for the offense and makes it more explicit when the tests may be required.

2. That the Sixty-fifth General Assembly, Second Session, enact Senate File 173. The companion bill to Senate File 173 is House File 528. Senate File 173 is commonly referred to as the habitual offender bill. The bill is designed to remove the chronic violator of traffic laws from the highways for a minimum of ten years. Should an habitual offender be apprehended operating a motor vehicle, he faces a prison sentence of from one to five years and the motor vehicle is confiscated. The Study Committee recommends that Senate File 173 be amended to reduce from ten to six years the period during which a person may accumulate three major offenses or eight minor offenses and be subject to designation as an habitual offender. The Study Committee also recommends that the eight minor offenses not include all violations and that such violations as operating a vehicle with an expired license, equipment violations, parking violations, violation of registration laws, failure to appear, and weights and measures violations not be included in the minor violations. The Study Committee further recommends that the period of license revocation be reduced from ten to six years and that any person whose license has been revoked may apply for a license after the third year of revocation. An amendment to Senate File 173 is attached and by this reference made a part of this report.

3. That the Second Session, Sixty-fifth General Assembly, enact Senate File 135. Senate File 135 has passed the Senate. This bill requires motorcycle riders to wear protective headgear and requires operators to wear eye-protective devices unless the motorcycle is equipped with a windscreen. The Study Committee recommends that Senate File 135 be amended to permit the Commissioner of Public Safety to prescribe standards to determine what constitutes a windscreen.

4. That House File 343 be enacted by the Sixty-fifth General Assembly, Second Session. House File 343 has passed the House of Representatives. This bill provides that a peace officer shall decide which substance, saliva, blood, breath, or urine, to test for alcohol under the implied consent law. It does not require that a blood test be offered, but that if it is, the person may refuse it and then one of the other three tests must be offered. The time for granting a hearing on a license revocation is increased from ten to twenty days and the requirement that it be

recorded is removed. A section providing a punishment for driving while a license has been revoked is added to the implied consent law.

5. That the Sixty-fifth General Assembly, Second Session, enact a law providing for the use of a classified operator's license system in Iowa. The federal government has established standards which provide for the issuance of a single operator's license. Each licensed driver receives a license which allows him to operate all motor vehicles within a specified weight class. A special classification is recommended to operate a motorcycle. The one change required in the present law is to eliminate the chauffeurs license. The Study Committee also recommends that the operators' license contain a colored photograph of the license holder. A bill is attached and by this reference made a part of this report.

6. That the Sixty-fifth General Assembly, Second Session, enact a law which requires that a medical examiner examine the body of any person who dies within four hours of an automobile accident to determine the presence and concentration of alcohol in the blood of the victim. This information shall be filed in a report to the Department of Public Safety. The information shall be used for statistical purposes. The Study Committee also recommends that the reports are public records. The purpose of this bill is to permit the Department of Public Safety to make accurate studies of the number of persons involved in fatal accidents. This information will also permit the proper authorities to develop more effective programs to keep drunk drivers off the roads so that innocent victims will not have to suffer personal injury and possible death from having these persons on the roads of the state. A bill is attached and by this reference made a part of this report.

SENATE FILE 173

1 Amend Senate File 173 as follows:

2 1. Page 2, line 5, by striking the word "ten-year" and in-
3 serting in lieu thereof the word "six-year".

4 2. Page 2, line 31, by inserting after the word "Code" the
5 words ", except equipment violations, violations of parking
6 regulations of cities, violations of registration laws, operat-
7 ing a vehicle with an expired license or permit, failure to
8 appear, and weights and measures violations".

9 3. Page 2, line 31, by inserting after the period the words
10 "Conviction of a nonflagrant speeding violation shall not be
11 included as a violation under this subsection. For the pur-
12 poses of this subsection, a "nonflagrant speeding violation"
13 means a speeding violation where a person is convicted of
14 speeding less than six miles per hour under the posted speed
15 limit."

16 4. Page 4, line 18, by striking the word "ten" and insert-
17 ing in lieu thereof the word "six".

18 5. Page 4, by striking lines 30 through 35, and inserting
19 in lieu thereof the following:

20 Sec. 8. NEW SECTION. When a license is suspended or revoked
21 for a period of not less than three years under the provisions
22 of this Act, the person to whom the privilege of operating a
23 motor vehicle is denied may petition the court for reinstatement
24 of the license. The court may, based upon the person's
25 prior record, order a provisional reinstatement of the license

1 upon the fulfillment of all other requirements for an operator's
2 license under chapter three hundred twenty-one (321) of the Code.
3 The provisional reinstatement shall be subject to the conditions
4 of section three hundred twenty-one point one hundred eighty-
5 one (321.181) of the Code.

6 6. Page 5, by striking lines 1 through 11.

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Prepared by the Legislative
Service Bureau for the Reduction
of Highway Fatalities Study Com-
mittee for discussion purposes
only. December, 1973

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to provide for a uniform classified operator's license
2 system.

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

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1 Section 1. Section two hundred eighty-five point eleven
2 (285.11), subsection eleven (11), Code 1973, is amended to
3 read as follows:

4 11. Bus drivers must hold ~~a-regular-or-special-chauf-~~
5 ~~feur's~~ an operator's license and in addition, a special school
6 bus driver permit issued by the department of public
7 instruction.

8 Sec. 2. Section three hundred twenty-one point one (321.1),
9 Code 1973, is amended by striking subsection forty-three (43).

10 Sec. 3. Section three hundred twenty-one point one (321.1),
11 Code 1973, is amended by adding the following new subsections:

12 NEW SUBSECTION. "Operator's license" means any operating
13 privilege, license, temporary instruction permit or temporary
14 license issued to any person authorizing that person to operate
15 a motor vehicle.

16 NEW SUBSECTION. "Bus" means any motor vehicle designed
17 to carry more than nine persons and used for the transporta-
18 tion of passengers, when the term is used on an operator's
19 license.

20 Sec. 4. Section three hundred twenty-one point ninety-
21 six (321.96), Code 1973, is amended to read as follows:

22 321.96 PROHIBITED PLATES--CERTIFICATES--BADGES. No per-
23 son shall display or cause or permit to be displayed, or have
24 in his possession, any canceled, revoked, altered, or ficti-
25 tious registration number plates, registration receipt, cer-
26 tificate of title, ~~chauffeur's~~ operator's license certifi-
27 cate, or ~~chauffeur's~~ operator's badge, as the same are
28 respectively provided for in this chapter.

29 Sec. 5. Section three hundred twenty-one point one hun-
30 dred seventy-four (321.174), Code 1973, is amended to read
31 as follows:

32 321.174 OPERATORS AND-CHAUFFEURS LICENSED. No person,
33 except those hereinafter expressly exempted shall drive any
34 motor vehicle upon a highway in this state unless such per-
35 son has a valid license as an operator ~~or-chauffeur~~ issued

1 by the department of public safety. ~~No person shall operate~~
 2 ~~a motor vehicle as a chauffeur unless he holds a valid chauffeur's~~
 3 ~~license.~~

4 Sec. 6. Section three hundred twenty-one point one hun-
 5 dred seventy-six (321.176), subsection three (3), Code 1973,
 6 is amended to read as follows:

7 3. A nonresident who is at least sixteen years of age
 8 and who has in his immediate possession a valid operator's
 9 license issued to him in his home state or country may oper-
 10 ate a motor vehicle in this state ~~only as an operator~~ subject
 11 to such restrictions as are applicable in his home state or
 12 country and subject to such restrictions as are applicable
 13 to a resident of this state of the same age.

14 Sec. 7. Section three hundred twenty-one point one hun-
 15 dred seventy-six (321.176), Code 1973, is amended by striking
 16 subsections four (4) and five (5).

17 Sec. 8. Section three hundred twenty-one point one hun-
 18 dred seventy-seven (321.177), Code 1973, is amended to read
 19 as follows:

20 321.177 PERSONS NOT TO BE LICENSED. The department shall
 21 not issue any license hereunder:

22 1. ~~To any person, as an operator, who is under the age~~
 23 ~~of sixteen years, provided that, effective August 1, 1966,~~
 24 ~~the department shall not issue a license to any person, as~~
 25 ~~an operator, who is under the age of seventeen years and ef-~~
 26 ~~fective August 1, 1967, the department shall not issue a li-~~
 27 ~~cense to any person, as an operator,~~ who is under the age
 28 of eighteen years, without his first having successfully com-
 29 pleted an approved driver education course, in which case,
 30 the minimum age shall be sixteen years. However, the de-
 31 partment may issue a restricted license as provided in sec-
 32 tion 321.194, or an instruction permit as provided in sec-
 33 tion 321.180, to any person who is at least fourteen years
 34 of age.

35 ~~2. To any person, as a chauffeur, who is under the age~~

1 ~~of-eighteen-years.~~

2 3 2. To any person, ~~as-an-operator-or-chauffeur~~ whose
3 license or driving privilege has been suspended during such
4 ~~suspension-or-to-any-person-whose-license,-or-driving-privi-~~
5 ~~lege,-has-been-revoked,-until-the-expiration-of-one-year~~
6 after-such-revocation , revoked, canceled, or denied dur-
7 ing the period of suspension, revocation, cancellation, or
8 denial.

9 4 3. To any person, ~~as-an-operator-or-chauffeur~~, who is
10 a chronic alcoholic, or is addicted to the use of narcotic
11 drugs.

12 5 4. To any person, ~~as-an-operator-or-chauffeur~~, who has
13 previously been adjudged to be afflicted with or suffering
14 from any mental disability or disease and who has not at the
15 time of application been restored to competency by the methods
16 provided by law. Provided, however, that the department may
17 issue such license when said mentally-ill person is placed
18 on parole or convalescent leave, when advised in writing that
19 the medical staff and superintendent of the institution in
20 which the person has been hospitalized recommend the issuance
21 of said license.

22 6 5. To any person, ~~as-an-operator-or-chauffeur~~, who is
23 required by this chapter to take an examination, unless such
24 person shall have successfully passed such examination.

25 7 6. To any person when the commissioner has good cause
26 to believe that such person by reason of physical or mental
27 disability would not be able to operate a motor vehicle with
28 safety upon the highways.

29 Sec. 9. Section three hundred twenty-one point one hun-
30 dred seventy-nine (321.179), Code 1973, as amended by the
31 Acts of the Sixty-fifth General Assembly, 1973 Session, chap-
32 ter one hundred forty (140), section thirty-five (35), is
33 further amended to read as follows:

34 321.179 SPECIAL RESTRICTIONS ON-CHAUFFEURS. No person
35 who is under the age of eighteen years shall drive any motor

1 vehicle while in use as a carrier of flammables or combusti-
2 bles, or as a public or common carrier of persons, except
3 a school bus.

4 Sec. 10. Section three hundred twenty-one point one hun-
5 dred eighty (321.180), Code 1973, as amended by the Acts of
6 the Sixty-fifth General Assembly, 1973 Session, chapter one
7 hundred forty (140), section thirty-six (36), is further
8 amended to read as follows:

9 321.180 INSTRUCTION PERMITS. Any person who is at least
10 fourteen years of age and who, except for his lack of instruc-
11 tions in operating a motor vehicle, would otherwise be quali-
12 fied to obtain an operator's license, shall upon meeting the
13 requirements of section 321.186 other than driving demonstra-
14 tion, and upon paying the required fee, be issued a temporary
15 instruction permit by the department, entitling the permittee
16 while having such permit in his immediate possession to drive
17 a motor vehicle upon the highways for a period of two years
18 from the date of issuance when accompanied by a licensed
19 operator ~~or-chauffeur~~ who is at least eighteen years of age,
20 or an approved driver education instructor, or a prospective
21 driver education instructor who is enrolled in and has been
22 specifically designated by a teacher education institution
23 with a safety education program approved by the department
24 of public instruction, and who is actually occupying a seat
25 beside the driver; except that any instruction permit issued
26 to a person who is less than sixteen years of age shall en-
27 title such permittee to drive a motor vehicle upon the high-
28 ways only when accompanied by a parent or guardian, or an
29 approved driver education instructor, or a prospective driver
30 education instructor, who is enrolled in and has been spe-
31 cifically designated by a teacher education institution with
32 a safety education program approved by the department of pub-
33 lic instruction, or by any person who is twenty-five years
34 of age or more if written permission is granted by the parent
35 or guardian, who is a holder of a valid operator's ~~or-a-chauf-~~

1 ~~feur's~~ license, and who is actually occupying a seat beside
2 the driver.

3 Sec. 11. Section three hundred twenty-one point one hun-
4 dred eighty-one (321.181), unnumbered paragraph one (1), Code
5 1973, is amended to read as follows:

6 The department may, in its discretion, issue a temporary
7 driver's permit to an applicant for an operator's ~~ex-chauf-~~
8 ~~feur's~~ license permitting him to operate a motor vehicle while
9 the department is completing its investigation and de-
10 termination of all facts relative to such applicant's right
11 to receive an operator's license. Such permit must be in
12 his immediate possession while operating a motor vehicle,
13 and it shall be invalid when the applicant's license has been
14 issued or for good cause has been refused.

15 Sec. 12. Section three hundred twenty-one point one hun-
16 dred eighty-two (321.182), Code 1973, is amended to read as
17 follows:

18 321.182 APPLICATION FOR LICENSE OR PERMIT. Every appli-
19 cation for ~~an-instruction-permit-or-for-an-operator's-or~~
20 ~~chauffeur's-license-or-temporary-drivers-permit~~ a license
21 shall be made upon a form furnished by the department and
22 shall be verified by the applicant before a person authorized
23 to administer oaths, and officers and employees of the depart-
24 ment are hereby authorized to administer such oaths without
25 charge. The applicant shall write his usual signature with
26 pen and ink upon the application in the space provided for
27 signature.

28 Sec. 13. Section three hundred twenty-one point one hun-
29 dred eighty-three (321.183), Code 1973, is amended to read
30 as follows:

31 321.183 CONTENTS OF APPLICATION. Every said application
32 shall state the full name, date of birth, occupation, sex,
33 and residence address of the applicant, and briefly describe
34 the applicant, and shall state whether the applicant has
35 theretofore been licensed as an operator ~~ex-chauffeur~~, and,

1 if so, when and by what state or country, and whether any
2 such license has ever been suspended or revoked, or whether
3 an application has ever been refused, and, if so, the date
4 of and reason for such suspension, revocation, or refusal.

5 Sec. 14. Section three hundred twenty-one point one hun-
6 dred eighty-four (321.184), Code 1973, is amended to read
7 as follows:

8 321.184 APPLICATIONS OF MINORS. The application of any
9 person under the age of eighteen years for ~~an instruction~~
10 ~~permit-operator's license, or permit issued under section~~
11 321.184 the person's first Iowa operator's license shall
12 contain the verified consent and confirmation of applicant's
13 birthday by both the father and mother of applicant, or the
14 parent having custody in the event of the legal separation
15 or the death of one parent; if neither parent is living, the
16 guardian or other person having custody, or the employer,
17 of such minor may consent. Officers and employees of the
18 department are hereby authorized to administer such oaths
19 without charge.

20 Sec. 15. Section three hundred twenty-one point one hun-
21 dred eighty-six (321.186), Code 1973, is amended to read as
22 follows:

23 321.186 EXAMINATION OF NEW OR INCOMPETENT OPERATORS.
24 The department may examine every new applicant for an oper-
25 ator's ~~or-chauffeur's~~ license or any person holding a valid
26 operator's ~~or-chauffeur's~~ license when the department has
27 reason to believe that such person may be physically or men-
28 tally incompetent to operate a motor vehicle, or whose driv-
29 ing record appears to the department to justify such an ex-
30 amination. Such examinations shall be held in every county
31 within periods not to exceed fifteen days. It shall include
32 a test of the applicant's eyesight, his ability to read and
33 understand highway signs regulating, warning, and directing
34 traffic, his knowledge of the traffic laws of this state,
35 and shall include an actual demonstration of ability to ex-

1 exercise ordinary and reasonable control in the operation of
2 a motor vehicle and such further physical and mental exam-
3 inations as the department finds necessary to determine the
4 applicant's fitness to operate a motor vehicle safely upon
5 the highways.

6 Sec. 16. Section three hundred twenty-one point one hun-
7 dred eighty-seven (321.187), Code 1973, is amended to read
8 as follows:

9 321.187 APPOINTMENT OF EXAMINERS. The department is
10 hereby authorized to appoint persons from the members of the
11 department or may designate the county sheriff for the pur-
12 pose of examining applicants for operators' ~~and-chauffeurs'~~
13 licenses. It shall be the duty of any such person so ap-
14 pointed to conduct examinations of applicants for operators'
15 ~~and-chauffeurs'~~ licenses under the provisions of this chap-
16 ter to make a written report of findings and recommendations
17 upon such examination to the department. Examiners appointed
18 by the department when on duty shall wear a uniform and proper
19 identifying badge or badges as prescribed by the commissioner
20 which shall be purchased by the department and paid for from
21 the department maintenance fund.

22 Sec. 17. Section three hundred twenty-one point one hun-
23 dred eighty-nine (321.189), Code 1973, is amended to read
24 as follows:

25 321.189 LICENSES ISSUED. The department shall upon pay-
26 ment of the required fee, issue to every applicant qualify-
27 ing therefor an operator's ~~ex-chauffeurs'~~ license as applied
28 for, which license shall bear thereon a distinguishing num-
29 ber assigned to the licensee, the full name, date of birth,
30 occupation, sex, residence address, a brief description and
31 a colored photograph of the licensee, and the usual signature
32 of the licensee. No license shall be valid unless it bears
33 the signature of the licensee.

34 Sec. 18. Section three hundred twenty-one point one hun-
35 dred ninety (321.190), Code 1973, is amended to read as fol-

1 lows:

2 321.190 CARRIED AND EXHIBITED. Every licensee shall have
3 his operator's ~~ex-chauffeur's~~ license in his immediate pos-
4 session at all times when operating a motor vehicle and shall
5 display the same, upon demand of a judicial magistrate or
6 district associate judge, a peace officer, or a field deputy
7 or examiner of the department. However, no person charged
8 with violating this section shall be convicted if he pro-
9 duces in court, within a reasonable time, an operator's ~~ex~~
10 ~~chauffeur's~~ license theretofore issued to him and valid at
11 the time of his arrest.

12 Sec. 19. Section three hundred twenty-one point one hun-
13 dred ninety-one (321.191), Code 1973, is amended to read as
14 follows:

15 321.191 FEE. The fee for an operator's license shall
16 ~~be five dollars if issued for a period of two years, and ten~~
17 ~~dollars if issued for a period of four years.--The fee for~~
18 ~~a chauffeur's license shall be ten dollars if issued for a~~
19 ~~period of two years, and twenty dollars if issued for a pe-~~
20 ~~riod of four years.--The fee for an instruction permit shall~~
21 ~~be three dollars and for a temporary driver's permit, five~~
22 ~~dollars~~ issued pursuant to section three hundred twenty-one
23 point one hundred eighty (321.180) of the Code shall be three
24 dollars. The fee for an operator's license issued pursuant
25 to sections three hundred twenty-one point one hundred eighty-
26 one (321.181) and three hundred twenty-one point one hundred
27 ninety-four (321.194) of the Code shall be five dollars.
28 The fee for all other operator's licenses shall be five dollars
29 if issued for a period of less than three years and ten dollars
30 if issued for a period of more than three years, except that
31 an operator's license which authorizes the licensee to operate
32 a motor vehicle in excess of twenty-four thousand pounds gross
33 weight shall cost double to usual fee.

34 There shall be a fee of twenty dollars for reinstatement
35 of ~~a-chauffeur's license or~~ an operator's license which is,

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1 after notice and opportunity for hearing, suspended or re-
2 voked pursuant to sections 321.209, 321.210, except subsec-
3 tion 4 thereof, and 321B.7. Such twenty-dollar fee shall
4 be collected only if the person whose license was suspended
5 or revoked was served personally with notice thereof. If
6 the person whose license was suspended or revoked was served
7 notice thereof by restricted certified mail, the reinstatement
8 fee shall be ten dollars.

9 Sec. 20. Section three hundred twenty-one point one hun-
10 dred ninety-two (321.192), Code 1973, is amended to read as
11 follows:

12 321.192 DISPOSAL OF FEES. Such license fees shall be
13 forwarded by the department to the treasurer of state who
14 shall place same in the general fund of the state, provided
15 that for each operator's license issued by a county sheriff
16 for which a license fee is paid, the sheriff issuing the same
17 shall be entitled to retain the sum of fifteen cents ~~and for~~
18 ~~each-chauffeur's-license, the sum of fifty cents,~~ which shall
19 be credited to the county general fund.

20 Sec. 21. Section three hundred twenty-one point one hun-
21 dred ninety-three (321.193), Code 1973, is amended to read
22 as follows:

23 321.193 RESTRICTED LICENSES. When provided in rules
24 adopted pursuant to chapter 17A, the department upon issu-
25 ing ~~an-operator's-or-chauffeur's-license~~ a license to oper-
26 ate a motor vehicle shall have authority whenever good cause
27 appears to impose restrictions suitable to the licensee's
28 driving ability with respect to the type of vehicle or spe-
29 cial mechanical control devices required on a motor vehicle
30 which the licensee may operate or such other restrictions
31 applicable to the licensee, including licenses issued under
32 section 321.194, as the department may determine to be ap-
33 propriate to assure the safe operation of a motor vehicle
34 by the licensee.

35 The department may either issue a special restricted li-

1 cense or may set forth such restrictions upon the usual li-
2 cense form.

3 The department may upon receiving satisfactory evidence
4 of any violation of the restrictions of such license sus-
5 pend or revoke the same but the licensee shall be entitled
6 to a hearing as upon a suspension or revocation under this
7 chapter.

8 It is a misdemeanor, punishable as provided in section
9 321.482, for any person to operate a motor vehicle in any
10 manner in violation of the restrictions imposed in a restricted
11 license issued to him.

12 A license issued under sections three hundred twenty-one
13 point one hundred seventy-eight (321.178), three hundred
14 twenty-one point one hundred eighty (321.180), three hun-
15 dred twenty-one point one hundred eighty-one (321.181), and
16 three hundred twenty-one point one hundred ninety-four
17 (321.194) of the Code may be set forth as restrictions upon
18 the usual license form.

19 Sec. 22. Section three hundred twenty-one point one hun-
20 dred ninety-four (321.194), Code 1973, is amended to read
21 as follows:

22 321.194 MINORS' SCHOOL LICENSES. Whenever the necessity
23 therefor is shown, a restricted license may be issued to any
24 person between the ages of fourteen and eighteen years which
25 license shall entitle the holder thereof, while having such
26 license in his immediate possession, to operate a motor ve-
27 hicle during the hours of 7 a.m. to 6 p.m. over the most di-
28 rect and accessible route between the licensee's residence
29 and his school of enrollment for the purpose of attending
30 duly scheduled courses of instruction at such school or at
31 any time when accompanied by a parent or guardian who is a
32 holder of a valid operator's ~~ex-chauffeur's~~ license, and who
33 is actually occupying a seat beside the driver. Such license
34 shall expire on the licensee's eighteenth birthday or upon
35 issuance of a temporary driver's permit. For the purpose

1 of establishing a need for the license provided for in this
2 section, each application shall be accompanied by an affi-
3 davit from the school board or superintendent of the appli-
4 cant's school which affidavit shall be upon a form provided
5 by the department and shall state the facts deemed to justify
6 the issuance of a license to the applicant. Neither such
7 affidavit nor the inability to obtain the same shall be bind-
8 ing on the department but may be considered by the depart-
9 ment in its determining of whether or not to grant the ap-
10 plication. The fact that the applicant resides at a distance
11 less than one mile from his school shall be prima-facie evi-
12 dence of the nonexistence of any necessity for the issuance
13 of such a license. A license issued hereunder is subject
14 to suspension or revocation in like manner as any other li-
15 cense or permit issued under any law of this state and in
16 addition thereto the department may suspend such license upon
17 receiving satisfactory evidence that the licensee has vio-
18 lated the restrictions of such license or has been involved
19 in two or more accidents chargeable to such licensee and
20 the department shall revoke any license issued hereunder up-
21 on receiving a record of such licensee's conviction for two
22 or more violations of any law of this state or city ordinance,
23 other than parking regulations, regulating the operation of
24 motor vehicles on highways and after revoking a license here-
25 under the department shall not grant application for any new
26 license or permit until the expiration of one year or until
27 the licensee attains his sixteenth birthday whichever is the
28 longer period.

29 Sec. 23. Section three hundred twenty-one point one hun-
30 dred ninety-five (321.195), Code 1973, is amended to read
31 as follows:

32 321.195 DUPLICATE CERTIFICATES. In the event that an
33 instruction permit or operator's ~~ex-chauffeur's~~ license or
34 extension certificate issued under the provisions of this
35 chapter is lost or destroyed, the person to whom the same

1 was issued may upon payment of a fee of two dollars for an
2 operator's ~~or-chauffeur's~~ license, or extension certificate,
3 obtain a duplicate, or substitute thereof, upon furnishing
4 proof satisfactory to the department that such permit, li-
5 cense, or extension certificate has been lost or destroyed.

6 Sec. 24. Section three hundred twenty-one point one hun-
7 dred ninety-six (321.196), unnumbered paragraphs one (1) and
8 three (3), Code 1973, are amended to read as follows:

9 Prior to July 1, 1975, the commissioner shall issue, un-
10 der rules formulated by him, operator's licenses valid for
11 one, two or four years. Each operator's license issued after
12 July 1, 1975, shall expire four years from the licensee's
13 birthday anniversary occurring in the year of issuance if
14 the licensee is between the age of twenty-one and sixty-five
15 years on the date of issuance of the license, otherwise for
16 a period of two years but shall be renewable without written
17 examination or penalty within a period of thirty days after
18 such birthday anniversary and such person shall not be con-
19 sidered to be driving with an invalid license during such
20 period before renewal, however for any license renewed within
21 such thirty-day period, the day of issuance shall be con-
22 sidered to be the previous birthday anniversary on which it
23 expired. An operator's license issued pursuant to section
24 three hundred twenty-one point one hundred eighty (321.180)
25 of the Code shall be valid for a period of two years from
26 the date of issue. An operator's license issued pursuant
27 to section three hundred twenty-one point one hundred eighty-
28 one (321.181) of the Code shall be issued for a period not
29 to exceed one year. An operator's license issued pursuant
30 to section three hundred twenty-one point one hundred ninety-
31 four (321.194) of the Code shall expire on the licensee's
32 eighteenth birthday or upon issuance of a temporary driving
33 permit. Applicants whose licenses are restricted due to
34 vision or other physical deficiencies may be required to
35 renew their licenses every two years. For the purposes of

1 this section the birthday anniversary of a person born on
2 February 29 shall be deemed to occur on March 4 first. All
3 applications for renewal of operators' licenses shall be made
4 under the direct supervision of a uniformed member of the
5 department and shall be approved by such uniformed member.
6 The commissioner may, in his discretion, authorize the renewal
7 of a valid license upon application without an examination
8 provided that, a person holding such license has not more
9 than three convictions of moving traffic violations during
10 the previous two years and, provided that such person
11 satisfactorily passes a vision test as prescribed by the de-
12 partment.

13 Any resident of Iowa holding a valid operator's ~~ex-chauff-~~
14 ~~feur's~~ license who is temporarily absent from the state, or
15 incapacitated, may, at the time for renewal for such license,
16 obtain from the sheriff of the county of his residence a form
17 to apply for a temporary extension of his license. The de-
18 partment upon receipt of such application form properly filled
19 out shall, upon a showing of good cause, issue a temporary
20 extension of such license for not to exceed six months. The
21 department shall prescribe and furnish such forms to each
22 county sheriff.

23 Sec. 25. Section three hundred twenty-one point one hun-
24 dred ninety-eight (321.198), unnumbered paragraph one (1),
25 Code 1973, is amended to read as follows:

26 The effective date of a valid operator's license ~~and of~~
27 ~~a valid chauffeur's license~~ to the extent that it permits
28 the operation of a motor vehicle as an operator, issued un-
29 der the laws of this state, held by any person at the time
30 of entering the military service of the United States or of
31 the state of Iowa notwithstanding the expiration of such li-
32 cense according to its terms, is hereby extended without fee
33 until six months following the initial separation from ac-
34 tive duty of such person from the military service, provided
35 such person is not suffering from such physical disabilities

1 as to impair his competency as an operator and provided fur-
2 ther that such licensee shall upon demand of any peace offi-
3 cer furnish satisfactory evidence of his military service.
4 However, no person entitled to the benefits of this section,
5 charged with operating a motor vehicle without an operator's
6 license, shall be convicted if he produces in court, within
7 a reasonable time, a valid operator's ~~ex-chauffeur's~~ license
8 theretofore issued to him along with evidence of his military
9 service as above mentioned.

10 Sec. 26. Section three hundred twenty-one point two hun-
11 dred one (321.201), Code 1973, is amended to read as follows:

12 321.201 AUTHORITY TO CANCEL LICENSE. The department is
13 hereby authorized to cancel any operator's ~~ex-chauffeur's~~
14 license upon determining that the licensee was not entitled
15 to the issuance thereof hereunder or that said licensee failed
16 to give the required or correct information in his applica-
17 tion or committed any fraud in making such application.

18 Sec. 27. Section three hundred twenty-one point two hun-
19 dred three (321.203), Code 1973, is amended to read as fol-
20 lows:

21 321.203 SUSPENDING PRIVILEGES OF NONRESIDENTS. The
22 privilege of driving a motor vehicle on the highways of this
23 state given to a nonresident hereunder shall be subject to
24 suspension or revocation by the department in like manner
25 and for like cause as an operator's ~~ex-chauffeur's~~ license
26 issued hereunder may be suspended or revoked.

27 Sec. 28. Section three hundred twenty-one point one hun-
28 dred five (321.205), Code 1973, is amended to read as fol-
29 lows:

30 321.205 CONVICTION IN ANOTHER STATE. The department is
31 authorized to suspend or revoke the license of any resident
32 of this state upon receiving notice of the conviction of such
33 person in another state of an offense therein which, if com-
34 mitted in this state, would be grounds for the suspension
35 or revocation of the license of an operator ~~ex-chauffeur~~.

1 Sec. 29. Section three hundred twenty-one point two hun-
2 dred six (321.206), Code 1973, is amended to read as follows:

3 321.206 SURRENDER OF LICENSE--DUTY OF COURT. Whenever
4 any person is convicted of any offense for which this chap-
5 ter makes mandatory the revocation of the operator's ~~ex~~
6 ~~chauffeur's~~ license of such person by the department, the
7 court in which such conviction is had shall require the sur-
8 render to it of all operator's ~~and-chauffeur's~~ licenses then
9 held by the person so convicted and the court shall there-
10 upon forward the same together with a record of such convic-
11 tion to the department.

12 Sec. 30. Section three hundred twenty-one point two hun-
13 dred seven (321.207), Code 1973, is amended to read as fol-
14 lows:

15 321.207 RECORD FORWARDED. Every court having jurisdic-
16 tion over offenses committed under this chapter, or any other
17 law of this state or any city traffic ordinances, other than
18 parking regulations, regulating the operation of motor ve-
19 hicles on highways, shall forward to the department a record
20 of the conviction of any person in said court for a viola-
21 tion of any said laws, and may recommend the suspension of
22 the operator's ~~ex-chauffeur's~~ license of the person so con-
23 victed, and the department shall thereupon consider and act
24 upon such recommendation in such manner as may seem to it
25 best.

26 The judge of said court shall also immediately enter upon
27 the reverse side of the operator's ~~ex-chauffeur's~~ license
28 of the convicted person, the date of said conviction, the
29 code section violated and add his signature, which shall re-
30 main on said license until renewal unless ordered removed
31 after a subsequent acquittal on appeal.

32 Sec. 31. Section three hundred twenty-one point two hun-
33 dred nine (321.209), unnumbered paragraph one (1), Code 1973,
34 is amended to read as follows:

35 The department shall forthwith revoke the license of any

1 operator ~~ex-chauffeur~~, or driving privilege, upon receiving
2 a record of such operator's ~~ex-chauffeur's~~ conviction of any
3 of the following offenses, when such conviction has become
4 final:

5 Sec. 32. Section three hundred twenty-one point two hun-
6 dred ten (321.210), Code 1973, is amended to read as follows:

7 321.210 AUTHORITY TO SUSPEND--POINT SYSTEM. The depart-
8 ment is hereby authorized to establish rules under the pro-
9 visions of chapter 17A providing for the suspension of the
10 license of an operator ~~ex-chauffeur~~ without preliminary hear-
11 ing upon a showing by its records or other sufficient evi-
12 dence that under the rules adopted by the department the
13 licensee:

14 1. Has committed an offense for which mandatory revoca-
15 tion of license is required upon conviction.

16 2. Is an habitually reckless or negligent driver of a
17 motor vehicle.

18 3. Is an habitual violator of the traffic laws.

19 4. Is incompetent to drive a motor vehicle.

20 5. Has permitted an unlawful or fraudulent use of such
21 license.

22 6. Has committed an offense in another state which if
23 committed in this state would be grounds for suspension or
24 revocation.

25 7. Has committed a serious violation of the motor ve-
26 hicle laws of this state.

27 For the purpose of determining when to suspend a license
28 under this section the commissioner may, in accordance with
29 the provisions of chapter 17A, promulgate a point system for
30 the purpose of weighing traffic convictions, or offenses by
31 their seriousness and may change such weighted scale from
32 time to time as experience or the accident frequency in the
33 state makes necessary or desirable.

34 Prior to a suspension taking effect under subsections 2,
35 3, 4, 5 or 7, the licensee shall have received twenty days

S.F. _____ H.F. _____

1 advance notice of the effective date of the suspension, and
2 an appeal under the provisions of section 321.215 shall oper-
3 ate to stay the suspension pending the determination by the
4 district court.

5 If the department of public safety assesses any points
6 against an operator ~~or-chauffeur~~ of a motor vehicle under
7 any point system devised by the department for the purpose
8 of suspending operators' ~~or-chauffeurs~~ licenses, the li-
9 censee shall receive a credit of one point for each year in
10 which the licensee had in continuous effect a valid operator's
11 ~~or-chauffeur's~~ license and during which no points were as-
12 sessed against such licensee, but such credit of points shall
13 not exceed five points at any one time. Credit points shall
14 be subtracted from the total points assessed against the li-
15 censee in determining when to suspend a license.

16 If the department of public safety assesses any points
17 against an operator ~~or-chauffeur~~ of a motor vehicle under
18 any point system devised by the department for the purpose
19 of suspending operators' ~~or-chauffeurs~~ licenses, the de-
20 partment must notify the licensee by ordinary mail that such
21 points have been assessed and the reason therefor. Provided
22 that no license shall be suspended on the basis of any point
23 system devised by the department without notice of proposed
24 suspension to the licensee and a reasonable opportunity for
25 a preliminary hearing before a member of the department who
26 shall have authority in meritorious cases to revoke the sus-
27 pension.

28 However, a warning memorandum, summons, conviction or for-
29 feiture of bail not vacated, for a violation of any section
30 of the Code or any municipal ordinance pertaining to the
31 standards to be maintained for motor vehicle equipment, ex-
32 cept sections 321.430 or 321.431 or any municipal ordinance
33 pertaining to motor vehicle brake requirements, shall not
34 be taken into consideration in determining suspension or the
35 length of suspension of an operator's ~~or-chauffeur's~~ license.

1 A violation of sections 321.430 or 321.431 or any municipal
2 ordinance pertaining to motor vehicle brake requirements shall
3 not be taken into consideration in determining suspension
4 or the length of suspension of an operator's ~~ex-chauffeur's~~
5 license if the equipment in violation of the Code or municipi-
6 pal ordinance has been repaired within seventy-two hours of
7 such warning memorandum, summons, conviction, or forfeiture
8 of bail not vacated, and evidence of such repair has imme-
9 diately been sent to the commissioner.

10 The safety commissioner may, on application, issue a tem-
11 porary restricted license to any person convicted whose regu-
12 lar employment is the operation of a motor vehicle or who
13 cannot perform his regular occupation without the use of a
14 motor vehicle, but such person shall not operate a vehicle
15 for pleasure while holding such restricted license. However,
16 this paragraph shall not apply to any person whose license
17 is revoked under the provisions of section 321.209.

18 Sec. 33. Section three hundred twenty-one point two hun-
19 dred fourteen (321.214), Code 1973, is amended to read as
20 follows:

21 321.214 NO OPERATION UNDER FOREIGN LICENSE. Any resi-
22 dent or nonresident whose operator's ~~ex-chauffeur's~~ license
23 or privilege to operate a motor vehicle in this state has
24 been suspended or revoked as provided in this chapter shall
25 not operate a motor vehicle in this state under a license,
26 permit, or registration certificate issued by any other state
27 or country or otherwise during such suspension or after such
28 revocation until a new license is obtained when and as per-
29 mitted under this chapter.

30 Sec. 34. Section three hundred twenty-one point two hun-
31 dred sixteen (321.216), Code 1973, is amended to read as fol-
32 lows:

33 321.216 UNLAWFUL USE OF LICENSE. It is a misdemeanor,
34 punishable as provided in section 321.482 unless another pun-
35 ishment is otherwise provided, for any person:

1 1. To display or cause or permit to be displayed or have
2 in his possession any canceled, revoked, suspended, ficti-
3 tious or fraudulently altered temporary driver's permit, tem-
4 porary instruction permit, or operator's license, ~~or-chauff-~~
5 ~~feur's-license~~.

6 2. To lend his temporary driver's permit, temporary in-
7 struction permit, or operator's license, ~~or-chauffeurs-~~
8 ~~license~~ to any other person or knowingly permit the use thereof by
9 another.

10 3. To display or represent as one's own any temporary
11 driver's permit, temporary instruction permit, or operator's
12 license, ~~or-chauffeur's-~~ ~~license~~ not issued to him.

13 4. To fail or refuse to surrender to the department upon
14 its lawful demand any temporary driver's permit, temporary
15 instruction permit, or operator's license, ~~or-chauffeur's~~
16 ~~license~~ which has been suspended, revoked, or canceled.

17 5. To use a false or fictitious name in any application
18 for a temporary driver's permit, temporary instruction per-
19 mit, or operator's license, ~~or-chauffeur's-~~ ~~license~~ or to
20 knowingly make a false statement or to knowingly conceal a
21 material fact or otherwise commit a fraud in any such ap-
22 plication.

23 6. To permit any unlawful use of a temporary driver's
24 permit, temporary instruction permit, or operator's license,
25 ~~or-chauffeur's-~~ ~~license~~ issued to him.

26 Sec. 35. Section three hundred twenty-one point two hun-
27 dred eighteen (321.218), Code 1973, is amended to read as
28 follows:

29 321.218 DRIVING WHILE LICENSE DENIED, SUSPENDED, OR RE-
30 VOKED. Any person whose operator's ~~or-chauffeur's~~ license,
31 or driving privilege, has been denied, canceled, suspended
32 or revoked as provided in this chapter, and who drives any
33 motor vehicle upon the highways of this state while such li-
34 cense or privilege is denied, canceled, suspended, or revoked,
35 is guilty of a misdemeanor and upon conviction shall be pun-

1 ished by imprisonment for not less than two days or more
2 than thirty days. The sentence imposed under this section
3 shall not be suspended by the court, notwithstanding the pro-
4 visions of section 247.20 or any other provision of statute.
5 The department, upon receiving the record of the conviction
6 of any person under this section upon a charge of driving
7 a motor vehicle while the license of such person was sus-
8 pended or revoked, shall extend the period of suspension or
9 revocation for an additional like period, and the department
10 shall not issue a new license during such additional period.

11 Sec. 36. Section three hundred twenty-one point two hun-
12 dred twenty-three (321.223), Code 1973, is amended to read
13 as follows:

14 321.223 LICENSE INSPECTED. No person shall rent a motor
15 vehicle to another until he has inspected the operator's ~~or~~
16 ~~chauffeur's~~ license of the person to whom the vehicle is to
17 be rented and compared and verified the signature thereon
18 with the signature of such person written in his presence.

19 Sec. 37. Section three hundred twenty-one point two hun-
20 dred sixty-one (321.261), unnumbered paragraph three (3),
21 Code 1973, is amended to read as follows:

22 The commissioner shall revoke the operator's ~~or-chauffeur's~~
23 license of the person so convicted.

24 Sec. 38. Section three hundred twenty-one point two hun-
25 dred sixty-three (321.263), unnumbered paragraph one (1),
26 Code 1973, is amended to read as follows:

27 The driver of any vehicle involved in an accident result-
28 ing in injury to or death of any person or damage to any ve-
29 hicle which is driven or attended by any person shall give
30 his name, address, and the registration number of the vehicle
31 he is driving and shall upon request and if available exhibit
32 his operator's ~~or-chauffeur's~~ license to the person struck
33 or the driver or occupant of or person attending any vehicle
34 collided with and shall render to any person injured in such
35 accident reasonable assistance, including the carrying, or

1 the making of arrangements for the carrying, of such person
2 to a physician, surgeon, or hospital for medical or surgical
3 treatment if it is apparent that such treatment is necessary
4 or if such carrying is requested by the injured person.

5 Sec. 39. Section three hundred twenty-one point two hun-
6 dred sixty-five (321.265), Code 1973, is amended to read as
7 follows:

8 321.265 STRIKING FIXTURES UPON A HIGHWAY. The driver
9 of any vehicle involved in an accident resulting only in
10 damage to property legally upon or adjacent to a highway shall
11 take reasonable steps to locate and notify the owner or person
12 in charge of such property of such fact and of his name and
13 address and of the registration number of the vehicle he is
14 driving and shall upon request and if available exhibit his
15 operator's ~~or-chauffeur's~~ license and shall make report of
16 such accident when and as required in section 321.266.

17 Sec. 40. Section three hundred twenty-one point three
18 hundred seventy-six (321.376), Code 1973, is amended to read
19 as follows:

20 321.376 LICENSE AND WRITTEN PERMISSION. The driver of
21 every school bus shall have ~~a-regular-or-special-chauffeur's~~
22 an operator's license issued by the department of public
23 safety, and in addition thereto, must hold a school bus
24 driver's permit issued by the department of public instruc-
25 tion.

26 ~~Notwithstanding the provision of subsection 2 of section~~
27 ~~321.477, the~~ The department of public safety is hereby
28 authorized to issue ~~a-special-chauffeur's~~ an operator's license
29 to a person sixteen or seventeen years of age, if such person
30 has successfully completed an approved driver education course,
31 to operate a school bus on request of local school board and
32 recommendation of the state superintendent of public
33 instruction.

34 Sec. 41. Section three hundred twenty-one point four hun-
35 dred eighty-five (321.485), subsection two (2), paragraph

1 a, Code 1973, as amended by the Acts of the Sixty-fifth Gen-
2 eral Assembly, 1973 Session, chapter two hundred eighty-two
3 (282), section twenty-one (21), is further amended to read
4 as follows:

5 a. Prepare a written citation to appear in court con-
6 taining the name and address of such person, the operator
7 ~~or-chauffeur~~ license number if any, the registration number
8 if any of his vehicle, the offense charged, and the time when
9 and place where such person shall appear in court; or

10 Sec. 42. Section three hundred twenty-one point four hun-
11 dred ninety-two (321.492), Code 1973, is amended to read as
12 follows:

13 321.492 PEACE OFFICERS' AUTHORITY. Any peace officer
14 is authorized to stop any vehicle to require exhibition of
15 the driver's operator ~~or-chauffeur~~ license, to serve a sum-
16 mons or memorandum of traffic violation, to inspect the con-
17 dition of the vehicle, to inspect the vehicle with reference
18 to size, weight, cargo, bills of lading or other manifest
19 of employment, tires and safety equipment, or to inspect the
20 registration certificate, the compensation certificate, travel
21 order, or permit of such vehicle.

22 Sec. 43. Section three hundred twenty-one A point one
23 (321A.1), subsection seven (7), Code 1973, is amended to read
24 as follows:

25 7. OPERATOR. Every person who is in actual physical con-
26 trol of a motor vehicle whether or not licensed as an oper-
27 ator ~~or-chauffeur~~ under the laws of this state.

28 Sec. 44. Section three hundred twenty-one B point fif-
29 teen (321B.15), subsection three (3), Code 1973, is amended
30 to read as follows:

31 3. "Drivers license" means a license to drive a motor
32 vehicle as an operator ~~or-chauffeur~~.

33 Sec. 45. Section three hundred twenty-one E point twenty-
34 six (321E.26), Code 1973, is amended to read as follows:

35 321E.26 DRIVER OF ESCORT VEHICLE--LICENSE REQUIRED. Any

1 operator of an escort vehicle, serving as an escort in the
2 movement of vehicles and loads of excess size and weight un-
3 der permits as required by this chapter shall have a valid
4 operator's ~~or-chauffeur's~~ license.

5 Sec. 46. Section three hundred twenty-five point twenty-
6 nine (325.29), Code 1973, as amended by the Acts of the Sixty-
7 fifth General Assembly, 1973 Session, chapter one hundred
8 forty (140), section thirty-seven (37), is further amended
9 to read as follows:

10 325.29 DRIVER OF VEHICLE. Every driver employed by a
11 motor carrier shall be at least eighteen years of age, in
12 good physical condition, of good moral character, shall be
13 fully competent to operate the motor vehicle under his charge,
14 and shall hold a regular ~~chauffeur's~~ operator's license from
15 the department of public safety.

16 Sec. 47. Section three hundred twenty-seven point eigh-
17 teen (327.18), Code 1973, is amended to read as follows:

18 327.18 DRIVERS--CONDITIONS. Every person driving a mo-
19 tor truck as defined in this chapter shall be at least eigh-
20 teen years of age, in good physical condition, of good moral
21 character, shall be fully competent to operate the motor truck
22 under his charge and shall hold a ~~regular-chauffeur's-license~~
23 from an operator's license issued by the department of public
24 safety and which authorizes the person to operate the truck
25 under his charge.

26 Sec. 48. Section three hundred twenty-seven A point seven
27 (327A.7), Code 1973, as amended by the Acts of the Sixty-fifth
28 General Assembly, 1973 Session, chapter one hundred forty
29 (140), section thirty-eight (38), is further amended to read
30 as follows:

31 327A.7 DRIVERS REQUIREMENTS. Every driver employed by
32 a liquid transport carrier shall be at least eighteen years
33 of age; in good physical condition, of good moral character,
34 shall be fully competent to operate the vehicle under his
35 charge, and shall hold a ~~regular-chauffeur's~~ operator's

1 license from the department of public safety.

2 Sec. 49. Section seven hundred fifty-three point seven-
3 teen (753.17), subsection two (2), Code 1973, as amended by
4 the Acts of the Sixty-fifth General Assembly, 1973 Session,
5 chapter two hundred eighty-two (282), section eighty-two (82),
6 is further amended to read as follows:

7 2. When the officer believed the defendant did not have
8 in force a valid operator's ~~or-chauffeur's~~ license ~~or-permit~~.

9 Sec. 50. Sections three hundred twenty-one point one hun-
10 dred seventy-five (321.175), three hundred twenty-one point
11 one hundred eighty-eight (321.188), three hundred twenty-one
12 point one hundred ninety-seven (321.197), and three hundred
13 twenty-one point two hundred twenty-one (321.221), are re-
14 pealed.

15 EXPLANATION

16 This bill removes the chauffeur's license provisions from
17 the present law and permits the Department of Public Safety
18 to establish an operator's license classification system un-
19 der the provisions of this bill. Adoption of an operator's
20 license classification system in Iowa will bring Iowa into
21 compliance with the federal highway safety standards adopted
22 by the federal government. The bill also provides that the
23 license shall contain a colored photograph of the licensee.
24 The cost of the license is not increased.

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PREPARED BY THE LEGISLATIVE SERVICE
BUREAU FOR THE REDUCTION OF HIGHWAY
FATALITIES STUDY COMMITTEE FOR DIS-
CUSSION PURPOSES ONLY.
December, 1973

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to require the taking of blood samples from a deceased
2 person killed in automobile accidents to determine the
3 presence of alcohol and controlled substances.

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

5 Section 1. NEW SECTION. When the operator of a motor vehicle
6 is killed in an accident or dies within four hours of a motor
7 vehicle accident and upon request of a peace officer, a licensed
8 physician, medical technologist, or registered nurse designated
9 by a licensed physician shall make such tests as are necessary
10 to determine the presence and percentage of concentration of
11 alcohol, and controlled substance if feasible, in the blood of
12 the deceased. A report shall be filed by the licensed physician,
13 medical technician, or registered nurse with the department of
14 public safety within five days from the date the tests are con-
15 ducted. The department of public safety shall use the informa-
16 tion for statistical purposes and the records shall be public
17 records under the provisions of chapter sixty-eight A (68A) of
18 the Code.

EXPLANATION

19
20 The purpose of this bill is to permit the Department of
21 Public Safety to gather accurate data to determine how many
22 fatal accidents involve drunken drivers. These records are also
23 declared to be public records. The data may serve a valuable
24 purpose in aiding the Department of develop programs to remove
25 the drinking driver from the roadways of this state.