

## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 258	House Committee: <b>PASSED</b> 20a/0n (2/8/2023)
Committee:	Transportation	House Floor:
Floor Manager:	Rep. Jon Dunwell	Senate Floor:
Date:	February 15, 2023	Governor:
Staff:	Brad Trow (1-3471)	

### Compliance with Federal Commercial Driver's License Requirements

- Rules and standards governing commercial driver's licenses are set by federal law, but administered by state agencies. A state CDL program's failure to match federal requirements can result in the loss of federal road and bridge funding.
- A 2021 review of Iowa's CDL requirements found several provisions out of compliance with current federal standards.
- House File 258 brings Iowa's CDL laws into compliance with federal standards.

### Section by Section Analysis

#### Section 1 (Iowa Code section 321.180 (2) (c)):

The section inserts the correct federal code reference.

#### Section 2 (Iowa Code section 321.188(4)):

The section is amended to insert the correct federal code reference, and also inserts new language requiring a check of the National Drug and Alcohol Clearinghouse prior to issuing a CDL. If the check of the Clearinghouse identifies violation or unresolved issue, the state is prohibited from issuing a CDL.

#### Section 3 (Iowa Code section 321.207):

The section inserts new language into the provisions downgrading commercial driver's licenses when there is a drug or alcohol violation on the Clearinghouse, the state is to downgrade a person's CDL within 60 days of notification.

#### Section 4 (Iowa Code section 321.208A):

The section amends current law fining drivers who violate an out of service order, by raising the fines for such violations to the federally-mandated level of \$3,471 for the first offense and \$6,943 for each subsequent offense. For an employer who allows these violations to occur, the fines will be \$6,269 for the first offense and \$34,712 for subsequent violations.

#### Section 5 (Iowa Code section 321.343A):

The section amends the current fine for employers allowing CDL holders to operate a commercial motor vehicle in violation of the railroad guard crossing regulations. The fine is raised to the federally-mandated level, which is \$17,995.