

**Motor Vehicle Division Informational Memo # 20-19 - REVISED**  
***2020 Legislation – Chauffeur’s exemption for farmers and farm employees & optional DL/ID autism spectrum disorder status indicator***

**DATE:** July 31, 2020

**FROM:** Kathleen Meradith-Eyers, Compliance Officer, DIS

**TO:** All Driver and Identification Services staff, Iowa County Treasurers and County Treasurer’s staff that issue driver’s licenses and non-operator’s identification cards

**SUBJECT**

This informational memo explains a bill enacted during the 2020 legislative session which makes two changes to Iowa Code chapter 321. The first change exempts a farmer or farmer’s hired help, who is age 18 or older, from the need to hold a Class D1 chauffeur’s license to operate a special truck (e.g., a truck-tractor semitrailer combination) in certain circumstances. The second change adds the option for a customer to choose to indicate that they have an autism spectrum disorder on their driver’s license or nonoperator identification card.

**SUMMARY**

***Chauffeur exemption.*** House File 2372 amends Iowa Code section 321.1(8) to exempt a farmer or farmer’s hired help, age 18 or older, from being considered a “chauffeur” for licensing purposes, when operating a special truck owned by the farmer to transport the farmer’s products or property up to 100 miles from the farm. The exemption specifies that the farmer or their hired help can drive 100 miles straight-line distance between the farmer’s owned or rented farmland and the destination without being licensed as a chauffeur. In other words, these exempted individuals can now operate a farmer’s special truck, such as a truck-tractor semitrailer combination, with a Class C operator’s license rather than a Class D1 chauffeur’s license, when they are transporting the farmer’s products within 100 miles of the farmer’s land.

***Autism spectrum disorder status indicator.*** House File 2372 also amends Iowa Code sections 321.189 and 321.190 by adding that a customer can designate an “autism spectrum disorder” status on the face of their driver’s license or non-operator identification card. If added, the designation is to be transmitted to the database law enforcement uses when making a traffic stop. The bill also requires us to develop educational media to raise awareness for the autism spectrum disorder indicator option.

**The legislation is effective July 1, 2020.**

**LINK TO LEGISLATION**

<https://www.legis.iowa.gov/docs/publications/LGE/88/HF2372.pdf>

**CURRENT**

***Chauffeur exemption.*** Under current Iowa law, a farmer or farmer’s hired help who qualifies for a CDL farm exemption does not need a Class D1 chauffeur’s license to operate a straight truck to transport

farm products or property. However, a Class D1 chauffeur's license is currently required to operate a truck-tractor semitrailer combination if a CDL farm exemption applies.

**Autism indicator.** Under current Iowa law, there is no option to indicate on the driver's or nonoperator identification card that a person has an autism spectrum disorder.

## **NEW**

**Chauffeur exemption.** The new law exempts farmers or farmer's hired help, age 18 or older, from needing a Class D1 chauffeur's license to drive the farmer's special truck (such as a truck-tractor semitrailer combination) while transporting the farmer's products within 100 miles from the farmer's owned or rented farmland. In other words, these exempted individuals can now operate the farmer's truck-tractor semitrailer combination with a Class C noncommercial license, if they are transporting the farmer's products within 100 miles of the farmer's land.

**Autism spectrum disorder status indicator.** The new law adds the option for a customer to request that their driver's license or nonoperator ID be marked on the face of the card to reflect their autism spectrum disorder status. This information will be communicated to the database law enforcement uses to query a person's driving record and vehicle registration during a traffic stop. Once programming is complete, the indicator will be available in ARTS to add to the face of a customer's DL or ID upon request when completing a transaction such as new issuance, renewal, or duplicate issuance, and normal license fees will apply. Additionally, since this bill requires us to develop educational media to raise awareness of this option, we will be adding information about the autism status indicator to our website.

## **BUSINESS IMPACT**

There may be a slight reduction in general commercial knowledge exams and noncommercial chauffeur's driving tests which are typically required to obtain a Class D1 chauffeur's license, however, we do not expect a significant impact to our testing or issuance operations as a result of the new exemption. Since a Class D1 chauffeur's license is not a commercial driver's license (CDL) subject to the three-part CDL skills test, this new law will not have an impact on CDL skills testing or issuance.

Additionally, once programming is completed to allow for the option to add an autism spectrum disorder indicator on the face of the driver's license or nonoperator's identification card, the option will appear in ARTS to add the indicator. Staff should be prepared to accommodate requests for adding the autism spectrum disorder status indicator to a customer's license or ID during an in-person transaction, upon request, and we will provide additional information once this option becomes available.

## **HELPFUL QUESTIONS AND ANSWERS – Chauffeur's Exemption for Farmers**

**WHAT TYPES OF VEHICLES CAN FARMERS OR A FARMER'S HIRED HELP NOW OPERATE WITH ONLY A NONCOMMERCIAL LICENSE (WITHIN 100 MILES OF THE FARMLAND)?**

The new legislation specifies that the exemption applies to operation of a “special truck”, which is defined in Iowa Code section 321.1 as a motor truck or truck-tractor with a gross weight registration of six through thirty-nine tons (12,000 through 78,000 pounds), however, it does not include a truck-tractor operated more than fifteen thousand miles annually. This definition includes most truck-tractor semitrailer combination vehicles.

#### **WITH THIS CHANGE, WILL WE BE ISSUING ANY CLASS D1 CHAUFFEUR’S LICENSES?**

While we typically issue only a small number of Class D1 chauffeur’s licenses, we anticipate that this new exemption will reduce that number even more. There may be some cases in which a person still needs to obtain a Class D1 chauffeur’s license, such as a farmer who needs to drive a truck-tractor semitrailer more than 100 miles from their farmland.

#### **DOES THIS NEW CHAUFFEUR EXEMPTION IMPACT THE CURRENT CDL FARM EXEMPTION IN ANY WAY?**

A farmer transporting their own products is subject to varying licensing requirements, depending on the type of vehicle they are operating and the distance they are operating from their farm. The requirements stem from federal regulations, including the CDL farm exemption in 49 CFR 390.39 as well as the other chauffeur’s exemptions in Iowa Code section 321.1. Below are several examples that are mainly applicable to enforcement, but which may also be helpful if you receive questions regarding what type of license is required for what type of operation by a farmer or a farmer’s hired help:

- If driving a truck-tractor semitrailer (>26,001lbs)
  - *NEW*: Needs a D1 chauffeur’s license when operating more than 100 miles from their farm. With this law change, this will be the only category of D-1 licenses we will issue.
  - *NEW*: Needs only a noncommercial driver’s license when operating within 100 miles of their farm.
  - Existing: Needs a CDL if operating further than 150 air miles across state lines from the farm.
  - Existing: Exempt from CDL requirements if operating in Iowa, or less than 150 air miles across state lines from the farm. The driver must adhere to federal CDL farm exemption (i.e., MAP-21) vehicle identification requirements.
- If driving a large straight truck (>26,001lbs and <78,000lbs) but not truck-tractor
  - Exempt from CDL requirements when operating in Iowa or within 150 air miles of the farm across state lines. The farmer must adhere to federal CDL farm exemption vehicle identification requirements.
  - Exempt from chauffeur’s requirements
- If driving a large straight truck or truck tractor (i.e. “special truck,” between 12,000 – 78,000lbs)
  - *NEW*: Exempt from chauffeur’s requirements in Iowa when operating within 100 miles of their farm.

- Existing: Exempt from CDL requirements when operating anywhere in Iowa or within 150 air miles across state lines from the farm. The farmer must adhere to federal CDL farm exemption vehicle identification requirements.
- If driving a straight truck (between 16,000lbs and 26,001lbs)
  - Exempt from CDL requirements anywhere in the US. Must adhere to federal CDL farm exemption vehicle identification requirements.
  - Exempt from chauffeur's requirements in Iowa

**WHAT ARE WE DOING TO INFORM CUSTOMERS OF THIS NEW CHAUFFEUR'S EXEMPTION FOR FARMERS?**

We will be updating our website, the driver's license manual, and the CDL quick guide to clarify the requirements of who must hold a Class D1 chauffeur's license.

**HELPFUL QUESTIONS AND ANSWERS – Autism spectrum disorder status indicator**

**WHY IS THE AUTISM SPECTRUM DISORDER INDICATOR OPTION BEING ADDED?**

The goal of this change is to avoid miscommunication issues and negative interactions for people with an autism spectrum disorder, simply because they may not behave in a way that is expected. By having this indicator on the face of the card and in the database law enforcement uses to access a driver's record or vehicle registration information, it will help alert law enforcement that the driver has a disability that could account for a demeanor or behaviors that might otherwise be misinterpreted.

**WHAT WILL THE NEW AUTISM SPECTRUM DISORDER STATUS INDICATOR LOOK LIKE, AND WHEN WILL IT BE AVAILABLE?**

We are currently working with IT and our card vendor to complete the changes to the DL/ID design to add this indicator. When complete, we will share more information about how the indicator looks and how it is added to a person's card.

**WILL A PERSON BE ABLE TO ADD THIS DESIGNATION DURING ONLINE OR KIOSK TRANSACTIONS?**

Yes, customers will be able to choose to add the autism spectrum disorder indicator on their license or ID during an online myMVD or self-service kiosk issuance transaction.

**WILL WE BE REQUIRED TO ASK A PERSON AT ISSUANCE IF THEY WANT TO ADD THE AUTISM SPECTRUM DISORDER DESIGNATION?**

No. Similar to how we currently only add a "deaf" indicator if a person requests for it to be added, we will add the indicator upon request of the customer. You will not need to ask each customer if they would like it to be added. Just like the other optional indicators, the autism spectrum disorder indicator will be listed as an option on the driver's license application.

**WILL WE REQUIRE ANY MEDICAL PROOF FOR A PERSON TO ADD THE AUTISM SPECTRUM DISORDER DESIGNATION?**

While the new legislation does give us the authority to create administrative rules that require medical verification prior to adding the autism spectrum disorder designation to a person's license, we likely will not require any verification or documentation. When administrative rules are implemented to address this new indicator, we will provide additional information about the rules and any operational impact they may have.

**IF A PERSON DISCLOSES THAT THEY HAVE AN AUTISM SPECTRUM DISORDER, SHOULD WE REQUIRE A MEDICAL REPORT?**

No. Requesting the autism spectrum disorder indicator should not automatically result in additional examination or medical report requirements. Rather, adhere to normal line exam observational standards during the transaction to determine if we need to request further examination of the licensee's driving capability. Specifically, if you have a reason to believe that the person may be mentally or physically incapable of safely operating a motor vehicle, you should courteously ask for more information, conduct screenings, and require additional examination as you normally would.