

Motor Vehicle Division Information Memo # 21-20

2021 Legislation – Elimination of Class D-1 and D-2 chauffeur’s license endorsements - REVISED

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FROM: MVD Policy & Compliance team

TO: All Motor Vehicle Division staff, Iowa County Treasurers and County Treasurer’s staff that issue driver’s licenses and nonoperator’s identification cards.

SUBJECT

This informational memo explains legislation enacted during the 2021 legislative session which effectively eliminated the class D-1 and D-2 chauffeur’s licenses and is most applicable for staff that issue or provide information to customers with Class D-1 or D-2 chauffeur’s driver’s licenses.

SUMMARY

House File 389 amended the definition of “chauffeur” in Iowa Code chapter 321 to no longer include someone who operates a truck tractor, road tractor, or motor truck with a gross vehicle weight rating (GVWR) exceeding 16,000 pounds, and to clarify that paid or volunteer firefighters, ambulance drivers, or rescue squad attendants are not subject to chauffeur licensing requirements.

In effect, this change eliminates the need for anyone to obtain chauffeur class D-1 and D-2 licenses currently issued by the DOT. A noncommercial class C license will now be sufficient to operate CDL-exempt truck-tractor semitrailer combination vehicles for farm work and large non-commercial straight trucks (26,000 pounds GVWR or less).

The impetus behind this change was twofold. First, it was recognized that the class D-2 requirement creates unnecessary barriers for businesses and employees such as moving companies using vehicles weighing between 16,001 and 26,000 pounds, which aren’t subject to federal commercial driver’s license (CDL) requirements. Several states (including neighboring states) do not require similar licensing for the same type of truck operation and do not recognize Iowa’s class D-2 chauffeur’s license. Second, the class D-1 license currently has a very narrow applicability because it is only required to be held by a farmer or farmer’s hired help when operating a CDL-exempt truck-tractor semitrailer combination vehicle for farm purposes more than 100 miles from their farmland. The D-1 chauffeur license requirement had already been reduced during the 2020 legislative session, when a bill was passed that eliminated the D-1 requirement for farmers and a farmer’s hired help when driving the truck-tractor for farming purposes *within* 100 miles of the farm (see IM 20-19 for more information on the 2020 bill), so this new change simply eliminates the very small remaining uses for the D-1 license.

The legislation is effective July 1, 2021.

LINK TO LEGISLATION

<https://www.legis.iowa.gov/docs/publications/LGE/89/HF389.pdf>

CURRENT

Currently, there are three types of class D chauffeur’s licenses, indicated by the type of endorsement added to the base class D license: endorsement 1, 2, or 3.

- A class D-1 license allows a farmer or farmer’s hired help to operate a CDL-exempt tractor semitrailer combination more than 100 miles from their farmland. Within 100 miles, only a class C noncommercial license is needed.
- A class D-2 license allows a person who is not a farmer or farmer's hired help to operate a single unit vehicle (e.g., straight truck) between 16,000 and 26,000 pounds GVWR (federal CDL requirements apply at 26,001 pounds GVWR). A farmer or farmer’s hired help is exempt from this requirement and needs only a class C noncommercial license.
- A class D-3 license allows a person to operate a motor vehicle to transport up to 15 persons including the driver for wages, compensation, or hire.

NEW

As of July 1, 2021, there is no longer a requirement for a farmer or farmer’s hired help to hold a D-1 license to operate a CDL-exempt tractor semitrailer combination more than 100 miles from their farmland. There is also no longer a requirement for anyone to hold a class D-2 license to operate a single unit vehicle (e.g., straight truck) between 16,000 and 26,000 pounds GVWR.

In other words, because of this legislation and the existing federal CDL covered-farm vehicle exemption, a farmer or farmer’s hired help can operate a CDL-exempt tractor semitrailer combination vehicle anywhere in Iowa (or within 150 air miles of the farm, if out-of-state) with a class C noncommercial license. Additionally, a person with a class C noncommercial license can operate a straight truck with a GVWR of 26,000 pounds or less. Put another way, the class C noncommercial now covers all vehicle operation previously requiring a D-1 or D-2 license.

There is no change to the chauffeur’s license with endorsement 3. A person still needs a D-3 chauffeur’s license if they are operating a motor vehicle to transport 15 or fewer persons (including the driver) for wages, compensation, or hire, and do not meet one of the exemptions in 321.1(8), such as a firefighter, ambulance attendant, Department of Corrections employee transferring inmates, Iowa Veterans Home employee transferring patients, etc.

BUSINESS IMPACT

This legislation does not require DOT or county staff who issue licenses to perform any new actions, and our process for issuing D-3 licenses is not changing. Instead, we will simply no longer issue D-1 and D-2 licenses. When a customer comes in to renew an existing D-1 or D-2 license, you should explain to them that we no longer issue those licenses because a noncommercial class C license is sufficient to operate vehicles that formerly required a class D-1 or D-2 license. We will be updating our website, publications, and internal manuals accordingly.

QUESTIONS AND ANSWERS

The following questions and answers provide additional information to you and to customers.

WILL EXISTING D-1 AND D-2 LICENSES REMAIN VALID?

Yes, any currently issued class D-1 or D-2 license remains valid for operating any vehicle that can be operated with a class C noncommercial license, including vehicles that formerly required a D-1 or D-2 license. This new law does not invalidate existing D-1 and D-2 licenses, rather, it simply eliminated the requirement to hold a D-1 or D-2 license for certain vehicle operation.

WHAT TYPES OF CHAUFFEURS LICENSES WILL WE ISSUE NOW?

With this new law change, the only remaining chauffeur license will be the Class D with endorsement 3 (D-3) license.

WILL CUSTOMERS RENEWING A CLASS D LICENSE ELECTRONICALLY BE AUTOMATICALLY CONVERTED TO A CLASS C?

Yes.

WILL ARTS BE REPROGRAMMED TO PREVENT ISSUANCE OF A D-1 OR D-2 LICENSE?

Yes, beginning July 1, 2021, when a customer comes in to renew a D-1 or D-2 credential, ARTS will remove the D-1 or D-2 license type and make it blank, and issuance staff will be required to select Operator for the license class. It is still very important to let the customer know about the conversion so they understand they will still be able to operate vehicles previously requiring a D-1 or D-2 license, or in case they desire to obtain a D-3 license or test for a different class license.

IF A CUSTOMER COMES IN FOR A DUPLICATE OR REINSTATEMENT PRIOR TO THEIR NORMAL RENEWAL, WILL WE CONVERT THEIR LICENSE AT THAT TIME?

Yes. The first issuance for a customer after this bill becomes effective on July 1, 2021 should convert the customer from their current D-1 or D-2 to a class C noncommercial.

WILL WE BE ISSUING REFUNDS IF A CUSTOMER CONVERTS THEIR D-1 OR D-2 PRIOR TO THEIR NORMAL RENEWAL?

No. This legislation is effective on a going-forward-basis, and we will not issue refunds if a customer with a D-1 or D-2 converts to a class C license prior to their normal renewal period. This is because the customer was charged appropriately at the time of issuance and the legislation did not provide for any sort of refund or retroactive applicability.

WILL FIREFIGHTERS OR AMBULANCE/EMS DRIVERS BE REQUIRED TO OBTAIN A D-3 LICENSE OR A CDL?

Firefighters and ambulance or EMS drivers, both paid and volunteer, are exempt from the remaining D-3 chauffeur requirement and need only a class C noncommercial license to operate a firetruck or ambulance weighing 26,000 pounds GVWR or less, even if they would otherwise be required to obtain a D-3 license by virtue of transporting passengers for compensation.

This new law did not change anything concerning CDL requirements for firefighters or ambulance/EMS drivers. Iowa code section 321.176A(2) currently exempts firefighters (paid or volunteer) from CDL requirements when operating under the terms of the code section, so they do not need to obtain any type of CDL even if the fire truck's GVWR exceeds 26,000 pounds. However, EMS drivers who operate a large ambulance that exceeds 26,000 pounds GVWR are still subject to CDL requirements.

DOES THIS LAW CHANGE ALLOW A MINOR TO DRIVE A TRUCK-TRACTOR SEMITRAILER OR A LARGE STRAIGHT TRUCK?

It depends on the type of the license that the minor holds. Minors (or persons of any age) with an operator's instruction permit are prohibited from using the permit to operate a commercial motor vehicle or any vehicle with a GVWR of 16,001 pounds or more.

For minors using a minor's school license (MSL) issued under Iowa Code section 321.194, that section was amended separately by the legislature in the MSL for farm work bill (SF 231) to prohibit a minor from operating a vehicle with more than two axles or any vehicle towing

another vehicle while using the license for any permitted purpose (farm work, school, or extracurricular activities). Therefore, the minor is prohibited from driving all triple axle vehicles and most large noncommercial trucks on an MSL. However, due to the elimination of the D-2 license requirement, some larger straight trucks that now require only a class C license to operate may be driven by MSL holders for any permitted purposes.

For minors with an intermediate or full license issued under Iowa Code section 321.180B, that code section was not amended by the legislature to similarly prohibit those license holders from operating a vehicle with more than two axles or any vehicle towing another vehicle. Therefore, a minor with an intermediate or full license can operate any vehicle that needs only a class C noncommercial license, and is not prohibited from operating vehicles that previously required a D-1 or D-2 license. However, it is important to keep in mind that vehicles that previously required the D-1 license are still subject to the limitations of the federal covered farm vehicle exemption and other federal limitations, namely:

- The minor must be an employee or family member of a farmer, transporting only agricultural commodities, livestock, machinery or supplies to or from a farm, and operating a vehicle that is not used for hire.
- If the vehicle's GVWR exceeds 26,000 pounds and *is not* articulated, the minor may travel within the state of registration or within a 150 air mile radius.
- If the vehicle's GVWR exceeds 26,000 pounds and the vehicle *is* articulated, the minor is limited to traveling within the state of registration. The reason the minor cannot operate an articulated vehicle out of state under the federal covered farm vehicle exemption is because federal regulations only allow a person 18 years old or older to travel across state lines when driving an articulated farm vehicle.

See 49 CFR 390 and 49 CFR 391.67 for information on the covered farm vehicle exemption and the limitation on crossing state lines in an articulated farm vehicle.