

Motor Vehicle Division Informational Memo # 21-35

Ignition Interlock Device and Temporary Restricted License Administrative Rules

DATE: November 4, 2021

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 non-operator's identification cards

SUBJECT

This informational memo explains updates to administrative rule chapters 761—615, Sanctions and 761—620, OWI and Implied Consent.

SUMMARY

The updates to these rule chapters align with changes to Iowa Code chapter 321J and Iowa Code section 321.218 made during the 2021 legislative session. Those changes authorized a person with no previous operating while intoxicated (OWI) conviction or revocation to install an ignition interlock device (IID) only on the vehicle(s) the person intends to operate while driving on a temporary restricted license (TRL) rather than all vehicles the person owns or operates. The legislation also removed the prohibition against issuing a TRL to a customer serving a driver's license sanction for driving while revoked or suspended (SUS 12 or REV 12) under Iowa Code section 321.218. This memo is most applicable to staff that issue TRLs.

You may wish to review the previous informational memo (IM 21-21) we issued when the 2021 legislation became effective for more information about the background of the legislation.

For internal DOT employees, you may find IM 21-21 in the W drive at:

W:\MotorVehicle\Memorandums\Legislation-driver

For County Treasurers and staff, you may find IM 21-21 at the link to the county treasurer's manual:

<https://iowadot.gov/mvd/ctmanual/memos/IM-21-21.pdf>

The administrative rule amendments are effective November 10, 2021.

LINK TO ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/5941C.pdf>

CURRENT

Administrative rule chapters 761—615 and 620 used to align with the code requirement that all OWI offenders must install an IID on all vehicles owned or operated as a condition of obtaining a TRL, even if it was the person's first OWI offense. The rule chapters also had differing TRL eligibility requirements for customers serving a driving while revoked or driving while suspended sanction depending on if the conviction was written under Iowa Code section 321.218 or 321J.21.

NEW

As of November 10, 2021, the rules will align with Iowa Code chapter 321J and section 321.218 and our current processes as outlined in the summary above.

BUSINESS IMPACT

This directive does not impact the way that MVD operates as we have already updated our processes to comply with the legislative requirements, rather this directive is just informing you that the administrative rules have now been updated.