

Motor Vehicle Division Policy Memo # 23-05

2023 Legislation—Eluding Revocation TRL Eligibility

DATE: May 11, 2023

FROM: Kasey Lee, MVD Compliance Officer

TO: All Motor Vehicle Division staff, and Iowa County Treasurers and County Treasurer's staff that issue driver's licenses and non-operator's identification cards

EFFECTIVE: July 1st, 2023

SUBJECT

This memo explains legislation passed during the 2023 legislative session which allows individuals convicted of eluding law enforcement to obtain a temporary restricted license (TRL).

SUMMARY

HF 358, enacted in the 2023 legislative session, allows individuals serving a revocation under Iowa Code section 321.209(7) for eluding law enforcement to obtain a temporary restricted license (TRL) which is commonly referred to as a "work permit".

This legislation also allows the issuance of a "combination" TRL under Iowa Code 321.215 and 321J for individuals with both an eluding revocation and an OWI offense.

Notably, this legislation does not impact habitual offenders whose bar includes an eluding conviction. Individuals serving a habitual offender bar which includes an eluding conviction will remain ineligible for a temporary restricted license under Iowa Code 321.555 and 321.560

The legislation is effective July 1, 2023.

LINK TO LEGISLATION

<https://www.legis.iowa.gov/legislation/BillBook?ga=90&ba=HF%20358>

CURRENT

Currently, individuals with a revocation for eluding (REV 17) and habitual offenders (BAR 32) that have an eluding conviction are not eligible for a TRL.

NEW

Effective July 1st, 2023, individuals with a revocation for eluding (REV 17) are eligible for a TRL.

Habitual offenders serving a bar (BAR 32) which includes an eluding conviction remain ineligible for a TRL.

BUSINESS IMPACT

We could see an increase in the number of TRL applications received as well as the number of TRLs issued which may increase administrative processing time and in-person transactions.

Minimal IT programming will be required to show individuals serving a REV17 as eligible for a TRL. Pending successful testing, this change will be live in ARTS as of July 1. .

QUESTIONS AND ANSWERS

WHY WERE HABITUAL OFFENDERS WITH ELUDING CONVICTIONS EXCLUDED FROM THIS CHANGE?

Iowa code only allows TRLs for habitual offenders under very limited circumstances under Chapters 321.560 and 321.555. This bill does not impact either of those sections so our existing rules for TRLs for habitual offenders remain the same.

CAN WE ISSUE A TRL FOR A CUSTOMER THAT WENT UNDER REVOCATION FOR ELUDING PRIOR TO THIS LEGISLATION?

Yes, after this legislation goes into effect on July 1st, 2023, a customer that is already serving a revocation for eluding can apply for and be approved for a TRL. In other words, we cannot issue the TRL prior to July 1st, 2023, but the effective date of the eluding revocation does not affect the customer's eligibility. Please contact the ACE team for assistance determining eligibility.

HOW SHOULD A CUSTOMER WITH AN ELUDING REVOCATION APPLY FOR A TRL?

The application for a "work permit" TRL or a "combination" TRL is [Form 430100](#). Customers can be directed to our website for more information about TRLs:
<https://iowadot.gov/mvd/driverslicense/suspensions-and-revocations>.