

*DRIVER LICENSES*CHAPTER 600  
GENERAL INFORMATION

[Prior to 6/3/87, Transportation Department[820]—(07,C)Ch 13]

**761—600.1(321) Definitions.** The definitions in Iowa Code section 321.1 and the following definitions apply to the rules in 761—Chapters 600 to 699.

“*Director of the office of driver services*” includes the office director’s designee.

“*License*” means “driver’s license” as defined in 1998 Iowa Acts, chapter 1073, section 2, unless the context otherwise requires.

“*Medical report*” means a report from a physician attesting to a person’s physical or mental capability to operate a motor vehicle safely. The report should be submitted on Form 430031, “Medical Report.” In lieu of Form 430031, a report signed by a physician on the physician’s letterhead may be accepted if it contains all the information specified on Form 430031.

“*Physician*” means a person licensed to practice medicine and surgery or osteopathic medicine and surgery.

This rule is intended to implement Iowa Code section 321.1.

**761—600.2(17A) Information and location.** Applications, forms and information concerning driver’s licensing are available at any driver’s license examination station. Assistance is also available by mail from: Office of Driver Services, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204, or in person at its location in Park Fair Mall, 100 Euclid Avenue, Des Moines, Iowa 50313; telephone 1-800-532-1121.

This rule is intended to implement Iowa Code section 17A.3.

**761—600.3(321) Persons exempt.**

**600.3(1)** Persons listed in Iowa Code section 321.176 are exempt from driver’s licensing requirements.

**600.3(2)** “Nearby” in Iowa Code subsection 321.176(2) shall mean a distance of not more than two miles.

This rule is intended to implement Iowa Code section 321.176.

**761—600.4(321) Persons not to be licensed.**

**600.4(1)** The department shall not knowingly issue a license to any person who is ineligible for licensing.

**600.4(2)** The department shall not knowingly license any person who is unable to operate a motor vehicle safely because of physical or mental disability until that person has submitted a medical report stating that the person is physically and mentally capable of operating a vehicle safely.

**600.4(3)** The department shall not knowingly license any person who has been specifically adjudged incompetent, pursuant to Iowa Code chapter 229, on or after January 1, 1976, including anyone admitted to a mental health facility prior to that date and not released until after, until it receives specific adjudication that the person is competent. A medical report stating that the person is physically qualified to operate a motor vehicle safely shall also be required.

**600.4(4)** The department shall not knowingly license any person who suffers from syncope of any cause, any type of periodic or episodic loss of consciousness, or any paroxysmal disturbances of consciousness, including but not limited to epilepsy, until that person has remained free of episodes of loss of consciousness or loss of voluntary control for six months, and then only upon receipt of a medical report favorable toward licensing.

*a.* If a medical report indicates a pattern of only syncope, the department may license without a six-month episode-free period after favorable recommendation by the medical advisory board.

*b.* If a medical report indicates a pattern of such episodes only when the person is asleep or is sequestered for sleep, the department may license without a six-month episode-free period.

*c.* If episodes occur when medications are withdrawn by a physician, but the person is episode-free when placed back on medications, the department may license without a six-month episode-free period with a favorable recommendation from a neurologist.

**600.4(5)** The department shall not license any person who must wear bioptic telescopic lenses to meet the visual acuity standard required for a license.

**600.4(6)** When a medical report is required, a license shall be issued only if the report indicates that the person is qualified to operate a motor vehicle safely. The department may submit the report to the medical advisory board for an additional opinion.

**600.4(7)** When the department receives evidence that an Iowa licensed driver has been adjudged incompetent or is not physically or mentally qualified to operate a motor vehicle safely, the department shall suspend the license for incapability, as explained in rule 761—615.14(321), or shall deny further licensing, as explained in rule 761—615.4(321).

**600.4(8)** The department shall not knowingly issue a license to a person who is the named individual on a certificate of noncompliance that has been received from the child support recovery unit, until the department receives a withdrawal of the certificate of noncompliance or unless an application has been filed pursuant to Iowa Code section 252J.9.

**600.4(9)** The department shall not knowingly issue a license to a person who is the named individual on a certificate of noncompliance that has been received from the college student aid commission, until the department receives a withdrawal of the certificate of noncompliance or unless an application has been filed pursuant to 1998 Iowa Acts, chapter 1081, section 7.

This rule is intended to implement Iowa Code sections 252J.8, 252J.9, 321.13, 321.177, 321.210, and 321.212 and 1998 Iowa Acts, chapter 1081, sections 6 and 7.

**761—600.5** Rescinded, effective 3/16/88.

**761—600.6(321) Duplicate licenses.** Rescinded IAB 1/8/92, effective 2/12/92.

**761—600.7(321) Restricted licenses.** Rescinded IAB 6/27/90, effective 7/1/90.

**761—600.8(321) License reinstatement or reissue.** Rescinded IAB 1/8/92, effective 2/12/92.

**761—600.9(321) License extension.** Rescinded IAB 1/8/92, effective 2/12/92.

**761—600.10(321) License renewal.** Rescinded IAB 1/8/92, effective 2/12/92.

**761—600.11(321) License application and issuance.** Rescinded IAB 6/27/90, effective 7/1/90.

**761—600.12(321) Private and commercial driver education schools.** The department licenses private and commercial driver education schools as follows:

**600.12(1) Instructor and course approval.**

*a.* To be licensed to teach driver education, the school's course and classroom and laboratory instructors must be approved by the department of education. Street or highway driving instruction must be provided either by the instructors approved by the department of education or persons certified by the department of transportation. Written evidence of these approvals and certifications must be submitted to the department of transportation upon application for a license, upon renewal of a license, and upon reinstatement of a license following cancellation.

*b.* To be licensed to teach motorized bicycle education, the school's course and instructors must be approved by the department of transportation.

*c.* To be licensed to teach motorcycle rider education, the school's course and instructors must be approved by the department of transportation in accordance with 761—Chapter 635.

**600.12(2) Issuance and renewal.**

*a.* A license to teach driver education shall be issued for a calendar year or remainder of a calendar year. The license expires on December 31 but remains valid for an additional 30 days after the expiration date. The license shall be renewed within 30 days of the expiration date.

*b.* A license to teach motorized bicycle education or motorcycle rider education shall be issued for a calendar year or remainder of a calendar year. The license expires on December 31 and shall be renewed annually.

**600.12(3) Application and fees.** Application for license issuance or renewal shall be made to the department of transportation on forms provided by the department. The license and renewal fees are \$25.

**600.12(4) Cancellation.** A license shall be canceled if the course or instructors are no longer approved or the persons providing only behind-the-wheel instruction are no longer certified. Also, a license to teach motorcycle rider education shall be canceled if the school does not comply with 761—Chapter 635.

This rule is intended to implement Iowa Code sections 321.178 and 321.189 and 1998 Iowa Acts, chapter 1112, section 5.

**\*761—600.13(321) Behind-the-wheel instructor's certification.** The following applies to departmental certification of persons qualified to provide the street or highway driving component of an approved driver education course.

**600.13(1) Qualifications.**

*a.* To qualify for certification, an individual must:

- (1) Be 25 years of age.
- (2) Hold a valid Iowa driver's license that permits unaccompanied driving, other than a motorized bicycle license or a temporary restricted license.

(3) Have a clear driving record for the previous four years. A clear driving record means the individual has:

1. Not been identified as a candidate for driver's license suspension under the habitual violator provisions of rule 761—615.13(321) or the serious violation provisions of rule 761—615.17(321).

2. No driver's license suspensions, revocations, denials, cancellations, disqualifications or bars.

3. Not committed an offense which would result in driver's license suspension, revocation, denial, cancellation, disqualification or bar.

4. No record of an accident for which the individual was convicted of a moving traffic violation.

(4) Have successfully completed the instructor preparation requirements of this rule, as evidenced by written attestations on forms provided by the department from both the classroom instructor and behind-the-wheel observer.

*b.* An individual is disqualified for any of the following reasons:

(1) The individual has been convicted of child abuse or sexual abuse of a child.

(2) The individual has been convicted of a felony.

(3) The individual's application is fraudulent.

(4) The individual's teaching license or behind-the-wheel instructor's certification from another state is suspended or revoked.

*c.* The department may investigate an applicant for a behind-the-wheel instructor's certification to determine if the applicant meets the requirements for certification. The investigation may include but is not limited to an inquiry of the applicant's criminal history from the department of public safety.

**600.13(2)** *Certification.*

*a.* To obtain certification, an individual meeting the qualifications shall apply to the department on forms provided by the department for a behind-the-wheel instructor's certification. The certification shall be issued for a calendar year or remainder of a calendar year. The certification expires on December 31 but remains valid for an additional 30 days after the expiration date. The certification shall be renewed within 30 days of the expiration date.

*b.* To renew a behind-the-wheel instructor's certification, a person meeting the qualifications must:

(1) Provide behind-the-wheel instruction for a minimum of 12 clock hours during the previous calendar year.

(2) Participate in at least one state-sponsored or state-approved behind-the-wheel instructor refresher course.

**600.13(3)** *Instructor preparation requirements.* Instructor preparation shall consist of 24 clock hours of classroom instruction and 12 clock hours of observed behind-the-wheel instruction. The curriculum shall be developed by the department in consultation with the Iowa driver education teacher preparation programs approved by the board of educational examiners and in consultation with the American Driver and Traffic Safety Education Association.

*a.* At a minimum, classroom instruction shall focus on topics such as the psychology of the young driver, behind-the-wheel teaching techniques, and route selection. Classroom instruction shall be delivered by staff from a driver education teacher preparation program approved by the board of educational examiners. A classroom session shall last no longer than four hours. Video conferencing may be used for course delivery.

b. Observation of behind-the-wheel instruction shall be provided by a person licensed to teach driver education who is specially trained by a driver education teacher preparation program approved by the board of educational examiners to observe, coach, and evaluate behind-the-wheel instructor candidates. A behind-the-wheel session shall last no longer than four hours. A dual-control motor vehicle must be used.

**600.13(4) Cancellation.** The department shall cancel the behind-the-wheel instructor's certification of an individual whose driver's license is suspended, revoked, denied, canceled, or barred; who is disqualified from operating a commercial motor vehicle; who is convicted of a moving traffic violation as a result of an accident; or who no longer meets the qualifications for a behind-the-wheel instructor's certification.

**600.13(5) Approved driver education course.** To provide the street or highway driving component of an approved driver education course, an individual holding a behind-the-wheel instructor's certification must be employed by a public or licensed commercial or private provider of the approved driver education course and work under the supervision of a person licensed to teach driver education.

This rule is intended to implement Iowa Code section 321.178 as amended by 1998 Iowa Acts, chapter 1112, section 2, and 1998 Iowa Acts, chapter 1112, section 5.

**761—600.14(321) Payment of fees.** License and certification fees under this chapter shall be paid by cash, money order or check. A money order or check shall be for the exact amount and shall be made payable to Treasurer, State of Iowa.

This rule is intended to implement Iowa Code section 321.178 as amended by 1998 Iowa Acts, chapter 1112, section 2, and section 321.189 and 1998 Iowa Acts, chapter 1112, section 5.

**761—600.15** Rescinded, effective 3/16/88.

**761—600.16(321) Seat belt exemptions.**

**600.16(1)** A person who is unable to wear a safety belt or safety harness for physical or medical reasons may obtain a form to be signed by the person's health care provider licensed under Iowa Code chapter 148, 150, 150A or 151. Form No. 432017, "Iowa Medical Safety Belt Exemption," is available from the office of driver services at the address in rule 600.2(17A).

**600.16(2)** Iowa Code section 321.445, subsections 1 and 2, shall not apply to the front seats and front seat passengers of motor vehicles owned, leased, rented or primarily used by a person with a physical disability who uses a collapsible wheelchair.

This rule is intended to implement Iowa Code section 321.445.

**761—600.17** Rescinded, effective 7/8/87.

**761—600.18** Rescinded, effective 1/26/83.

**761—600.19(321) Driver improvement interview.** Rescinded IAB 1/8/92, effective 2/12/92.

**761—600.20(321) Hearing and appeal process.** Rescinded IAB 1/8/92, effective 2/12/92.

**761—600.21(321) Service of denial, cancellation, suspension or revocation notice.** Rescinded IAB 1/8/92, effective 2/12/92.

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◇Two ARCs

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