

Reprinted

FILED FEB 07 1989

Trans.

Amend + do pass  
2-27-89 (p. 544)  
deferred 3-6-89 (p. 637)  
substituted for HF 433

SENATE FILE 157  
BY VANDE HOEF, LIND, MURPHY,  
RIORDAN, RENSINK and KIBBIE

Passed Senate, Date 3-29-89 (p. 1055) Passed House, Date 4-17-89 (p. 1620)  
Vote: Ayes 31 Nays 16 Vote: Ayes 69 Nays 24  
Approved May 31, 1989

A BILL FOR

3438 -1 An Act relating to driving privileges of fourteen-year-old  
2 drivers, permitting attendance at approved driver education  
3 courses, requiring completion of driver education before  
4 issuance of a school license, and removing time limits on use  
5 of a school license.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 157

S-3176

1 Amend Senate File 157 as follows:  
2 1. Page 1, line 14, by inserting after the word  
3 "course," the following: "The department shall not  
4 require completion of an approved driver education  
5 course before issuing a school license, however, if  
6 the student, for whom the district has certified a  
7 special need, demonstrates to the satisfaction of the  
8 department that completion of the course would impose  
9 a hardship upon the student. The department shall  
10 adopt rules under chapter 17A defining the term  
11 "hardship" and establishing procedures for the  
12 demonstration and determination of when completion of  
13 the course would impose a hardship upon a student."

By BERL PRIEBE

S-3176 FILED MARCH 7, 1989

Adopted 3-28-89 (p. 1036)

Motion to reconsider 3-29-89 (p. 1054)  
motion prevailed  
out of order 3-29-89 (p. 1055)

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24

1 Section 1. Section 321.178, unnumbered paragraph 3, Code  
2 1989, is amended to read as follows:

3 "Student," for purposes of this section, means any a person  
3438-4 between the ages of ~~fifteen~~ fourteen years and twenty-one  
5 years who resides in the public school district and who  
6 satisfies the preliminary licensing requirements of the  
7 department.

3175-8 Sec. 2. Section 321.194, unnumbered paragraph one, Code  
9 1989, is amended to read as follows:

3167-10 Upon certification of a special need by the school board or  
11 the superintendent of the applicant's school, the department  
12 may issue a school license to a person between the ages of  
3438-13 fourteen and eighteen years who has successfully completed an  
3456-14 approved driver education course. The school license ~~shall~~  
15 entitle entitles the holder, while having the license in  
16 immediate possession, to operate a motor vehicle ~~during the~~  
17 ~~hours of 6 a.m. to 9 p.m.~~ over the most direct and accessible  
18 route between the licensee's residence and schools of  
19 enrollment and between schools of enrollment for the purpose  
20 of attending duly scheduled courses of instruction and  
21 extracurricular activities at the schools or at any time when  
3118-22 accompanied by a parent or guardian, driver education  
23 instructor, or prospective driver education instructor who is  
24 a holder of a valid operator's or chauffeur's license, and who  
25 is actually occupying a seat beside the driver. The license  
26 shall expire on the licensee's eighteenth birthday or upon  
27 issuance of a restricted license under section 321.178,

3118-28 subsection 2, or operator's license.

3128-29 3175-3440 -

EXPLANATION

30 This bill permits fourteen-year-old drivers to enroll in an  
31 approved driver education course. Successful completion of an  
32 approved driver education course is required in order for a  
33 student to be eligible for a school license. The time  
34 restrictions on the hours during which a school license may be  
35 used have been eliminated.

SENATE FILE 157

S-3118

- 1 Amend Senate File 157 as follows:
- 2 1. Page 1, line 22, by inserting after the word
- 3 "guardian," the following: "member of the license
- 4 holder's immediate family if the family member is at
- 5 least twenty-one years of age,".

By COMMITTEE ON TRANSPORTATION  
C. JOSEPH COLEMAN, Chairperson

S-3118 FILED FEBRUARY 27, 1989

*adopted 3-6-89 (p. 637)*

SENATE FILE 157

S-3128

- 1 Amend Senate File 157 as follows:
- 2 1. Page 1, by inserting after line 28 the
- 3 following:
- 4 "Sec. \_\_\_\_ . The education requirements for the
- 5 issuance of school licenses provided in section 2 of
- 6 this Act apply to school licenses issued on or after
- 7 the effective date of this Act."

By DONALD GETTINGS

S-3128 FILED FEBRUARY 28, 1989

*adopted 3-6-89 (p. 637)*

SENATE FILE 157

S-3167

- 1 Amend Senate File 157 as follows:
- 2 1. Page 1, lines 16 and 17, by striking the words
- 3 "~~during the hours of 6 a.m. to 9 p.m.~~" and inserting
- 4 the following: "during the hours of 6 a.m. to 9 11:30
- 5 p.m.".

By JOHN P. KIBBIE  
RICHARD VANDE HOEF

S-3167 FILED MARCH 3, 1989

*adopted 3-6-89 (p. 637)*

SENATE FILE 157

S-3168

- 1 Amend Senate File 157 as follows:
- 2 1. Page 1, line 28, by inserting after the word
- 3 "license." the following: "Parental consent given for
- 4 the issuance of a school license under this section
- 5 shall not be deemed to be consent given under section
- 6 321.184 for the issuance of any other permit or
- 7 license applied for by the school license applicant."

By RICHARD RUNNING

S-3168 FILED MARCH 3, 1989

*adopted 3-6-89 (p. 637)*

SENATE FILE 157

S-3175

1 Amend Senate File 157 as follows:

2 1. Page 1, lines 8 and 9, by striking the words  
3 "paragraph one, Code 1989, is" and inserting the  
4 following: "paragraphs 1 and 3, Code 1989, are".

5 2. Page 1, by inserting after line 28 the  
6 following:

7 "A license issued under this section is subject to  
8 suspension or revocation in like manner as any other  
9 license or permit issued under a law of this state.  
10 The department may also suspend a license upon  
11 receiving satisfactory evidence that the licensee has  
12 violated the restrictions of the license or has been  
13 involved in one or more accidents chargeable to the  
14 licensee. The department may suspend a license issued  
15 under this section and a permit issued under section  
16 321.180 upon receiving a record of the licensee's  
17 conviction for one violation and. The department  
18 shall revoke the license and any permit issued under  
19 section 321.180 upon receiving a record of conviction  
20 for two or more violations of a law of this state or a  
21 city ordinance regulating the operation of motor  
22 vehicles on highways other than parking violations as  
23 defined in section 321.210. After revoking a license  
24 under this section the department shall not grant an  
25 application for a new license or permit until the  
26 expiration of one year or until the licensee's  
27 sixteenth birthday whichever is the longer period."

By JIM LIND

S-3175 FILED MARCH 6, 1989

adopted 3-28-89 (p. 1036)

## SENATE FILE 157

S-3438

Amend Senate File 157 as follows:

1. Page 1, line 4, by striking the words "~~fifteen fourteen~~" and inserting the following: "fifteen".
2. Page 1, line 13, by striking the word "fourteen" and inserting the following: "~~fourteen fifteen~~".
3. Title, line 1, by striking the word "fourteen-year-old" and inserting the following: "fifteen-year-old".

By JOY CORNING  
MAGGIE TINSMAN

S-3438 FILED MARCH 28, 1989

LOST

3-28-89 (p. 1036)

## SENATE FILE 157

S-3446

Amend Senate File 157 as follows:

1. Page 1, by inserting after line 28, the following:  
"Sec. \_\_\_\_ . Section 321A.17, subsection 5, Code 1989, is amended to read as follows:  
5. An individual applying for a motor vehicle license following a period of suspension or revocation under section 321.210A, 321.216 or 321.513, or following a period of suspension under section 321.194, is not required to maintain proof of financial responsibility under this section."
2. By renumbering as necessary.

By DONALD GETTINGS  
JOE WELSH  
JIM LIND

S-3446 FILED MARCH 28, 1989

Adopted 3-29-89 (p. 1055)

## SENATE FILE 157

S-3456

Amend Senate File 157 as follows:

1. Page 1, line 14, by inserting after the word "course." the following: "However, the completion of a course is not required if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant. The department shall adopt rules under chapter 17A defining the term "hardship" and establish procedures for the demonstration and determination of when completion of the course would impose a hardship upon an applicant."

By BERL E. PRIEBE  
LARRY MURPHY

S-3456 FILED MARCH 28, 1989

Adopted 3-29-89 (p. 1055)



3804-1 Section 1. Section 321.178, unnumbered paragraph 3, Code  
2 1989, is amended to read as follows:

3903-3 "Student," for purposes of this section, means any a person  
3904 between the ages of fifteen fourteen years and twenty-one  
5 years who resides in the public school district and who  
6 satisfies the preliminary licensing requirements of the  
7 department.

3854-8 Sec. 2. Section 321.194, unnumbered paragraphs 1 and 3,  
9 Code 1989, are amended to read as follows:

10 Upon certification of a special need by the school board or  
11 the superintendent of the applicant's school, the department  
12 may issue a school license to a person between the ages of  
3904-13 fourteen and eighteen years who has successfully completed an  
14 approved driver education course. However, the completion of  
15 a course is not required if the applicant demonstrates to the  
16 satisfaction of the department that completion of the course  
17 would impose a hardship upon the applicant. The department  
18 shall adopt rules under chapter 17A defining the term  
19 "hardship" and establish procedures for the demonstration and  
20 determination of when completion of the course would impose a  
21 hardship upon an applicant. The school license shall-entitle  
22 entitles the holder, while having the license in immediate  
3905, 3804-23 possession, to operate a motor vehicle during the hours of 6  
24 a.m. to 9 11:30 p.m. over the most direct and accessible  
25 route between the licensee's residence and schools of  
26 enrollment and between schools of enrollment for the purpose  
27 of attending duly scheduled courses of instruction and  
28 extracurricular activities at the schools or at any time when  
29 accompanied by a parent or guardian, member of the license  
30 holder's immediate family if the family member is at least  
31 twenty-one years of age, driver education instructor, or  
32 prospective driver education instructor who is a holder of a  
33 valid operator's or chauffeur's license, and who is actually  
34 occupying a seat beside the driver. The license shall expire  
35 on the licensee's eighteenth birthday or upon issuance of a

1 restricted license under section 321.178, subsection 2, or  
2 operator's license. Parental consent given for the issuance  
3 of a school license under this section shall not be deemed to  
4 be consent given under section 321.184 for the issuance of any  
5 other permit or license applied for by the school license  
6 applicant.

3857

7 A license issued under this section is subject to  
8 suspension or revocation in like manner as any other license  
9 or permit issued under a law of this state. The department  
10 may also suspend a license upon receiving satisfactory  
11 evidence that the licensee has violated the restrictions of  
12 the license or has been involved in one or more accidents  
13 chargeable to the licensee. The department may suspend a  
14 license issued under this section and a permit issued under  
15 section 321.180 upon receiving a record of the licensee's  
16 conviction for one violation and. The department shall revoke  
17 the license and any permit issued under section 321.180 upon  
18 receiving a record of conviction for two or more violations of  
19 a law of this state or a city ordinance regulating the  
20 operation of motor vehicles on highways other than parking  
21 violations as defined in section 321.210. After revoking a  
22 license under this section the department shall not grant an  
23 application for a new license or permit until the expiration  
24 of one year or until the licensee's sixteenth birthday  
25 whichever is the longer period.

3804

26 Sec. 3. Section 321A.17, subsection 5, Code 1989, is  
27 amended to read as follows:

28 5. An individual applying for a motor vehicle license  
29 following a period of suspension or revocation under section  
30 321.210A, 321.216 or 321.513, or following a period of  
31 suspension under section 321.194, is not required to maintain  
32 proof of financial responsibility under this section.

33 Sec. 4. The education requirements for the issuance of  
34 school licenses provided in section 2 of this Act apply to  
35 school licenses issued on or after the effective date of this

- 1 Act.
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## SENATE FILE 157

H-3903

1 Amend Senate File 157 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 4 through 31 and  
4 inserting the following: "between the ages of fifteen  
5 years and twenty-one years who resides in the public  
6 school district and who satisfies the preliminary  
7 licensing requirements of the department.

8 Sec. 2. Section 321.194, unnumbered paragraphs 1  
9 and 3, Code 1989, are amended to read as follows:

10 Upon certification of a special need by the school  
11 board or the superintendent of the applicant's school,  
12 the department may issue a school license to a person  
13 between the ages of ~~fourteen~~ fifteen and eighteen  
14 years who has successfully completed an approved  
15 driver education course. The school license ~~shall~~  
16 entitle entitles the holder, while having the license  
17 in immediate possession, to operate a motor vehicle  
18 during the hours of 6 a.m. to 9 p.m. over the most  
19 direct and accessible route between the licensee's  
20 residence and schools of enrollment and between  
21 schools of enrollment for the purpose of attending  
22 duly scheduled courses of instruction and  
23 extracurricular activities at the schools or at any  
24 time when accompanied by a parent or guardian, driver  
25 education instructor, or".

26 2. Title page, by striking lines 1 and 5 and  
27 inserting the following: "An Act relating to driving  
28 privileges of fifteen-year-old drivers, permitting  
29 attendance at approved driver education courses, and  
30 requiring completion of driver education before  
31 issuance of a school license."

By METCALF of Polk

H-3903 FILED APRIL 6, 1989

lost 4-17-89 (p. 1620)

SENATE FILE 157

H-3904

1 Amend Senate File 157, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 4, by striking the words "~~fifteen~~  
4 ~~fourteen~~" and inserting the following: "fifteen".

5 2. Page 1, line 13, by striking the word  
6 "fourteen" and inserting the following: "~~fourteen~~  
7 ~~fifteen~~".

8 3. Title page, line 1, by striking the word  
9 "fourteen-year-old" and inserting the following:  
10 "fifteen-year-old".

By METCALF of Polk

H-3904 FILED APRIL 6, 1989

lost 4-17-89 (p. 1617)

SENATE FILE 157

H-3804

1 Amend Senate File 157 as amended, passed, and  
 2 reprinted by the Senate as follows:  
 3 1. Page 1, line 1, by inserting after the figure  
 4 "321.178," the following: "subsection 1,".  
 5 2. Page 1, line 24, by striking the words "p.m.  
 6 over" and inserting the following: "p.m. over".  
 7 3. Page 2, line 22, by inserting after the word  
 8 "license" the following: "or permit".  
 9 4. Title page, line 4, by striking the word  
 10 "removing" and inserting the following: "changing".  
 By FOGARTY of Palo Alto

H-3804 FILED APRIL 4, 1989

*Adopted 4-12-89 (p. 1480)*

*lines 9 & 10 ~~order~~ placed out  
of order per adoption of  
#3905 4-17-89 (p. 1619)*

SENATE FILE 157

H-3854

1 Amend Senate File 157 as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, line 8, by inserting after the word  
 4 and figure "paragraphs 1" the following: ", 2,".  
 5 2. Page 2, by inserting after line 6, the  
 6 following:  
 7 "Each application shall be accompanied by a  
 8 statement from the school board or superintendent of  
 9 the applicant's school. The statement shall be upon a  
 10 form provided by the department. The school board or  
 11 superintendent shall certify that a need exists for  
 12 the license and that the board and superintendent are  
 13 not responsible for actions of the applicant which  
 14 pertain to the use of the school license. The  
 15 department of education shall adopt rules pursuant to  
 16 chapter 17A establishing criteria for issuing a  
 17 statement of necessity. Upon receipt of a statement  
 18 of necessity, the department shall issue a school  
 19 license. The fact that the applicant resides at a  
 20 distance less than one mile from the applicant's  
 21 schools of enrollment is prima-facie evidence of the  
 22 nonexistence of necessity for the issuance of a  
 23 license. A school license shall not be issued for  
 24 purposes of attending a public school in a school  
 25 district other than the district of residence of the  
 26 parent or guardian of the student, if the student is  
 27 enrolled in the public school which is not the school  
 28 district of residence through open enrollment under  
 29 section 282.18."

By WISE of Lee

H-3854 FILED APRIL 5, 1989

*Adopted 4-17-89 (p. 1619)*

*4018  
4018-7*

## SENATE FILE 157

H-3905

- 1 Amend Senate File 157, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 24, by striking the figures "9
- 4 11:30" and inserting the following: "9".
- 5 2. Title page, by striking lines 3 through 5 and
- 6 inserting the following: "courses and requiring
- 7 completion of driver education before issuance of a
- 8 school license."

By METCALF of Polk

H-3905 FILED APRIL 6, 1989

*Adopted 4-17-89 (p. 1619)*

## SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 157

H-4319

- 1 Amend the House amendment, S-3791, to Senate File
- 2 157, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by striking lines 7 and 8 and
- 5 inserting the following:
- 6 " . Page 1, line 24, by striking the figure
- 7 "11:30" and inserting the following: "11:00."
- 8 2. Page 1, by striking lines 13 through 24.

RECEIVED FROM THE SENATE

H-4319 FILED APRIL 27, 1989

*House Refused to Concur 4-28-89 (p. 2168)*  
*Senate Insisted ~~4-28-89~~ 5-1-89 (p. 1777)*

## SENATE FILE 157

4018

Amend the amendment, H-3854, to Senate File 157, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 6, the following:

"Any person who is thirteen years of age, who may qualify for a minors' school license at fourteen years of age, may take the instruction permit written examination. Upon successful completion of the written examination, the department shall not issue an instruction permit, but shall instead issue a special certificate which states that the examination has been successfully completed and that the person is eligible to take a driver education course. The person in possession of the special certificate may operate a motor vehicle, but only when accompanied by a driver education instructor."

2. Page 1, line 25, by inserting after the word "residence", the following: ", or a district which is contiguous to the district of residence,".

3. Page 1, line 28, by striking the word "through" and inserting the following: "because of".

4. Page 1, line 29, by inserting after the figure "282.18" the following: "or as a result of an election by the student's district of residence to enter into one or more sharing agreements pursuant to the procedures in chapter 282".

By BLANSHAN of Greene  
MILLER of Cherokee

H-4018 FILED APRIL 13, 1989

Adopted 4-17-89 (p.1619)

HOUSE AMENDMENT TO  
SENATE FILE 157

S-3791

1 Amend Senate File 157 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, line 1, by inserting after the figure  
4 "321.178," the following: "subsection 1,".

5 2. Page 1, line 8, by inserting after the word  
6 and figure "paragraphs 1" the following: ", 2,".

3856- 7 3. Page 1, line 24, by striking the figures "9  
8 11:30" and inserting the following: "9".

9 4. Page 1, line 24, by striking the words "p.m.  
10 over" and inserting the following: "p.m. over".

11 5. Page 2, by inserting after line 6, the  
12 following:

3856- 13 "Any person who is thirteen years of age, who may  
14 qualify for a minors' school license at fourteen years  
15 of age, may take the instruction permit written  
16 examination. Upon successful completion of the  
17 written examination, the department shall not issue an  
18 instruction permit, but shall instead issue a special  
19 certificate which states that the examination has been  
20 successfully completed and that the person is eligible  
21 to take a driver education course. The person in  
22 possession of the special certificate may operate a  
23 motor vehicle, but only when accompanied by a driver  
24 education instructor.

25 Each application shall be accompanied by a  
26 statement from the school board or superintendent of  
27 the applicant's school. The statement shall be upon a  
28 form provided by the department. The school board or  
29 superintendent shall certify that a need exists for  
30 the license and that the board and superintendent are  
31 not responsible for actions of the applicant which  
32 pertain to the use of the school license. The  
33 department of education shall adopt rules pursuant to  
34 chapter 17A establishing criteria for issuing a  
35 statement of necessity. Upon receipt of a statement  
36 of necessity, the department shall issue a school  
37 license. The fact that the applicant resides at a  
38 distance less than one mile from the applicant's  
39 schools of enrollment is prima-facie evidence of the  
40 nonexistence of necessity for the issuance of a  
41 license. A school license shall not be issued for  
42 purposes of attending a public school in a school  
43 district other than the district of residence, or a  
44 district which is contiguous to the district of  
45 residence, of the parent or guardian of the student,  
46 if the student is enrolled in the public school which  
47 is not the school district of residence because of  
48 open enrollment under section 282.18 or as a result of  
49 an election by the student's district of residence to  
50 enter into one or more sharing agreements pursuant to

S-3791

Page 2

1 the procedures in chapter 282."

2 6. Page 2, line 22, by inserting after the word  
3 "license" the following: "or permit".

4 7. Title page, by striking lines 3 through 5 and  
5 inserting the following: "courses and requiring  
6 completion of driver education before issuance of a  
7 school license."

8 8. By renumbering, relettering, or redesignating  
9 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3791 FILED APRIL 19, 1989

*Senate Concurred 4-27-89 (p.1737)*

## SENATE FILE 157

S-3856

1 Amend the House amendment, S-3791, to Senate File  
2 157, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by striking lines 7 and 8 and  
5 inserting the following:

6 " . Page 1, line 24, by striking the figure  
7 "11:30" and inserting the following: "11:00"."

8 2. Page 1, by striking lines 13 through 24.

By DON E. GETTINGS  
JOHN KIBBIE

RICHARD VANDE HOEF  
WILMER RENSINK

S-3856 FILED APRIL 21, 1989

*Adopted 4-27-89 (p.1737)*

adopted 5-3-89 by Senate (p.1835)  
 adopted by House 5-3-89 (p.2381)  
 REPORT OF THE CONFERENCE COMMITTEE

## ON SENATE FILE 157

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 157, a bill for An Act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, respectfully make the following report:

1. That the Senate recedes from its amendment, H-4319.
2. That the House amendment, S-3791, to Senate File 157, as amended, passed, and reprinted by the Senate, is amended as follows:

1. Page 1, by striking lines 7 and 8 and inserting the following:

"\_\_\_ . Page 1, line 24, by striking the figure "11:30" and inserting the following: "10:00"."

2. Page 1, by striking lines 13 through 24.

3. Page 2, by inserting after line 3, the following:

"\_\_\_ . Page 3, by inserting after line 1, the following:

"Sec. \_\_\_ . This Act, being deemed of immediate importance, takes effect upon enactment.""

4. Page 2, line 5, by striking the words "courses and" and inserting the following: "courses,".

5. Page 2, line 7, by inserting after the word "license" the following: ", changing time limits on use of a school license, and providing an effective date".

ON THE PART OF THE SENATE:

C. JOSEPH COLEMAN, Chairperson  
 JOHN P. KIBBIE  
 LARRY MURPHY  
 JACK NYSTROM  
 RICHARD VANDE HOEF

ON THE PART OF THE HOUSE:

DANIEL P. FOGARTY, Chairperson  
 JACK BEAMAN  
 JOSEPHINE GRUHN  
 BILL D. ROYER  
 MARK S. SHEARER

SENATE FILE 157

AN ACT

RELATING TO DRIVING PRIVILEGES OF FOURTEEN-YEAR-OLD DRIVERS, PERMITTING ATTENDANCE AT APPROVED DRIVER EDUCATION COURSES, REQUIRING COMPLETION OF DRIVER EDUCATION BEFORE ISSUANCE OF A SCHOOL LICENSE, CHANGING TIME LIMITS ON USE OF A SCHOOL LICENSE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.178, subsection 1, unnumbered paragraph 3, Code 1989, is amended to read as follows:

"Student," for purposes of this section, means any a person between the ages of ~~fifteen~~ fourteen years and twenty-one years who resides in the public school district and who satisfies the preliminary licensing requirements of the department.

Sec. 2. Section 321.194, unnumbered paragraphs 1, 2, and 3, Code 1989, are amended to read as follows:

Upon certification of a special need by the school board or the superintendent of the applicant's school, the department may issue a school license to a person between the ages of fourteen and eighteen years who has successfully completed an approved driver education course. However, the completion of a course is not required if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant. The department shall adopt rules under chapter 17A defining the term "hardship" and establish procedures for the demonstration and determination of when completion of the course would impose a hardship upon an applicant. The school license shall entitle the holder, while having the license in immediate possession, to operate a motor vehicle during the hours of 6

a.m. to 9 10:00 p.m. over the most direct and accessible route between the licensee's residence and schools of enrollment and between schools of enrollment for the purpose of attending duly scheduled courses of instruction and extracurricular activities at the schools or at any time when accompanied by a parent or guardian, member of the license holder's immediate family if the family member is at least twenty-one years of age, driver education instructor, or prospective driver education instructor who is a holder of a valid operator's or chauffeur's license, and who is actually occupying a seat beside the driver. The license shall expire on the licensee's eighteenth birthday or upon issuance of a restricted license under section 321.178, subsection 2, or operator's license. Parental consent given for the issuance of a school license under this section shall not be deemed to be consent given under section 321.184 for the issuance of any other permit or license applied for by the school license applicant.

Each application shall be accompanied by a statement from the school board or superintendent of the applicant's school. The statement shall be upon a form provided by the department. The school board or superintendent shall certify that a need exists for the license and that the board and superintendent are not responsible for actions of the applicant which pertain to the use of the school license. The department of education shall adopt rules pursuant to chapter 17A establishing criteria for issuing a statement of necessity. Upon receipt of a statement of necessity, the department shall issue a school license. The fact that the applicant resides at a distance less than one mile from the applicant's schools of enrollment is prima-facie evidence of the nonexistence of necessity for the issuance of a license. A school license shall not be issued for purposes of attending a public school in a school district other than the district of residence, or a district which is contiguous to the district of residence, of the parent or guardian of the student, if the student is

enrolled in the public school which is not the school district of residence because of open enrollment under section 282.18 or as a result of an election by the student's district of residence to enter into one or more sharing agreements pursuant to the procedures in chapter 282.

A license issued under this section is subject to suspension or revocation in like manner as any other license or permit issued under a law of this state. The department may also suspend a license upon receiving satisfactory evidence that the licensee has violated the restrictions of the license or has been involved in one or more accidents chargeable to the licensee. The department may suspend a license issued under this section and a permit issued under section 321.180 upon receiving a record of the licensee's conviction for one violation and. The department shall revoke the license and any permit issued under section 321.180 upon receiving a record of conviction for two or more violations of a law of this state or a city ordinance regulating the operation of motor vehicles on highways other than parking violations as defined in section 321.210. After revoking a license or permit under this section the department shall not grant an application for a new license or permit until the expiration of one year or until the licensee's sixteenth birthday whichever is the longer period.

Sec. 3. Section 321A.17, subsection 5, Code 1989, is amended to read as follows:

5. An individual applying for a motor vehicle license following a period of suspension or revocation under section 321.210A, 321.216 or 321.513, or following a period of suspension under section 321.194, is not required to maintain proof of financial responsibility under this section.

Sec. 4. The education requirements for the issuance of school licenses provided in section 2 of this Act apply to school licenses issued on or after the effective date of this Act.

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 157, Seventy-third General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved May 31, 1989

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TERRY E. BRANSTAD  
Governor