



# MINUTES

## Minor Driver's License Interim Study Committee

Monday, November 13, 2023

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### MEMBERS PRESENT

Senator Adrian Dickey, Co-chairperson  
Senator Chris Cournoyer  
Senator Todd E. Taylor

Representative Brian Best, Co-chairperson  
Representative Amy Nielsen  
Representative Brent Siegrist [by teleconference]

#### Ex Officio members:

Ms. Tina Wahlert, Department of Education (DE)  
Mr. Brett Tjepkes, Department of Public Safety (DPS)  
[by teleconference]  
Ms. Melissa Gillett, Department of Transportation  
(DOT)  
Ms. Linda Rouse, Iowa Workforce Development (IWD)  
[by teleconference]  
Mr. Tony Cotto, National Association of Mutual  
Insurance Companies (NAMIC)

LSA CONTACTS: Organizational staffing provided by: Tyler Heeren, Legal Counsel, 515.725.0480; Minutes prepared by: J.D. Arnett, Legal Counsel, 515.281.3745

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## Minor Driver's License Interim Study Committee

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### I. Procedural Business

**Call to Order and Adjournment.** The second meeting of the Minor Driver's License Interim Study Committee was called to order by Co-chairperson Dickey at 9:34 a.m., Monday, November 13, 2023, in Room 103 of the State Capitol, Des Moines. The meeting was adjourned at 1:25 p.m.

**Opening Remarks.** Co-chairperson Dickey and Co-chairperson Best made brief introductory comments.

**Approve Minutes.** A motion to approve the committee's minutes from the October 13, 2023, meeting was made by Co-chairperson Dickey. The minutes were approved.

### II. Charge

The committee is required to examine policy matters and make recommendations on statutory changes relating to licensed driving by persons between 14 and 18 years of age. Pursuant to Senate File 542, the committee shall submit a report to the General Assembly by December 15, 2023.

### III. Committee Members Discussion

Committee members reviewed the different permits and licenses available to persons between 14 and 18 years of age, the process for obtaining those permits and licenses, and crash data for persons between 14 and 17 years of age. Members discussed how to make the different restrictions that apply to a special minor's license consistent, the importance of communicating any new plan that is developed to parents and to persons between 14 and 18 years of age, a desire to simplify the restrictions that apply to the special minor's license, why the current special minor's license system is written the way that it is, and the involvement of schools in the process of obtaining a special minor's license, including considerations that affect the school's decision to sign off on a student obtaining a special minor's license.

Committee members questioned what should happen if the holder of a special minor's license quits his or her job or is fired and stressed the importance of accountability in terms of choosing a representative of the employer to sign off on the holder of the special minor's license obtaining a work permit. It was suggested that there could be different motivations employers and school officials might have when it comes to signing off on a work or school permit. Member discussion included work permits under the special minor's license, who should sign off in order for the holder of a special minor's license to obtain a work permit, the difficulty associated with involving DOT in the process, the importance of enforcement mechanisms, how the holder of a special minor's license with a work permit could demonstrate that he or she has a job, and how to make it easier for peace officers to enforce special minor's license restrictions. Members indicated that there may be concerns related to carrying a document that contains employer information in the car of a holder of a special minor's license, including whether this document needs to be updated as the holder changes jobs and whether such a requirement adds too much complexity.

Committee members questioned whether physical indicators could be placed on a car to indicate that the person driving the car has an instruction permit, special minor's license, or an intermediate license. Members emphasized the importance of such indicators to peace officers. Members asked Mr. Brett Tjepkes, Bureau Chief for the Governor's Traffic Safety Bureau in DPS, whether a peace officer can pull over a driver simply for appearing to be underage. Mr. Tjepkes explained that stopping a vehicle without probable cause or reasonable suspicion would be unlawful. Mr. Tjepkes suggested the members consult with the Office of the Attorney General about this question. Members stressed the importance of parents helping to enforce provisions related to the special minor's license by placing limits on when



the holder of the license drives and discussed benefits associated with adopting a zero-tolerance policy for violations under the special minor's license.

Committee member discussion included many aspects related to the special minor's license, including what happens under the license when a student switches schools, appropriate mile restrictions on the license when the holder is at school, work, or on the farm, the number of passengers a person holding the license should be able to transport, prohibited driving times for holders of the license, and potential penalties for violations of the license's restrictions, including delaying the ability of the holder of the license to get an intermediate driver's license, suspensions, loss of the license, and financial penalties.

Members questioned how a mile restriction could be implemented given concerns related to extracurricular events at other schools, split households, children who live with grandparents, the proper center point for the radius that governs the mile restrictions, the responsibilities placed on schools under the special minor's license system, and students who open enroll into a different school district or attend private school. After additional discussion, members indicated that the proper center point for the radius that governs the mileage restrictions in the context of the holder of a special minor's license using the license to go to work is the holder's primary residence.

In terms of prohibited driving times for holders of the special minor's license, members reviewed current law in this area and questioned whether it was possible to implement a rule that prohibits driving within a certain amount of time before school starts or the holder's shift at work begins and within a certain amount of time after school dismisses for the day and the holder's shift at work ends.

Holders of a special minor's license engaging in work on a farm was also a topic of committee member discussion. Members expressed concerns related to holders of a special minor's license towing wagons, trailers, or other equipment with a vehicle. This discussion also included the possibility of prohibiting holders of the special minor's license from using such license to drive around the farm area running errands at the place of employment.

#### **IV. Committee Members and Ex Officio, Nonvoting Members Discussion**

The committee invited the ex officio, nonvoting members to provide comments. Ms. Melissa Gillett, Director of DOT's Motor Vehicle Division, recommended that students not be able to obtain the special minor's license for one year after first obtaining an instruction permit to allow the student more supervised driving experience. Mr. Tony Cotto, Director of Auto and Underwriting Policy for NAMIC, indicated that NAMIC would support the DOT's recommendation, with the understanding that there is no single approach to graduated driver's license restrictions that will work in every state. Ms. Gillett then discussed the similarities and differences between Iowa's graduated driver's license restrictions and the graduated driver's license restrictions in other states. Mr. Tjepkes indicated there may be safety concerns associated with the elimination of current restrictions on the special minor's license.

Ms. Gillett recommended that the allowable driving distances under the special minor's license for work, school, and farm be standardized and limited to 25 miles. Ms. Gillett also recommended that the holder of a special minor's license be required to carry a form in the holder's vehicle that includes the approved locations to which they are allowed to drive along with contact information for the holder's parent, school administrator, and employer, as applicable. Additionally, Ms. Gillett recommended that a violation of the restrictions on the special minor's license lead to revocation of the license and an automatic downgrade to an instruction permit. Ms. Gillett explained current penalties associated with violating the restrictions on the special minor's license.



Mr. Cotto indicated that concerns related to the holder of a special minor's license being required to carry a form with them could be alleviated by using an electronic document, something already implemented in the insurance industry through electronic copies of insurance information. Ms. Gillett expressed the importance of making such a form easily editable to accommodate things like the holder of a special minor's license obtaining a new job. Mr. Cotto explained that, for purposes of setting the center point for an allowable driving radius under the special minor's license, the address of the policy holder is the most important in the insurance industry. Mr. Cotto discussed the importance of penalties in the context of the graduated driver's license system.

Mr. Tjepkes discussed concerns related to an electronic form that a holder of a special minor's license might be required to carry, including whether such a form could be forged. Mr. Tjepkes also provided background information related to traffic fatalities in this state and improvements that have been made in this area. Mr. Tjepkes expressed that he does not want to see the state regress in terms of traffic fatalities.

Ms. Linda Rouse, Division Administrator in IWD, indicated that, over the last four years, there has been an increase in the number of minors who are working. Ms. Rouse stated that safety is a paramount concern when it comes to minor drivers. Ms. Rouse discussed the possibility of a parent driving a minor to work during the first six months of the minor's employment instead of the minor being allowed to drive to work during that time under the special minor's license. Ms. Rouse expressed that there should be consistency in terms of allowing a holder of a special minor's license to drive to school events and work.

Committee members questioned who at a school is responsible for signing off for a student to obtain a special minor's license. Ms. Gillett stated that, pursuant to recent legislation, this is a school administrator's responsibility.

Committee members also discussed the proper age for someone to be able to use a special minor's license to drive to work, the similarities and differences between restrictions to be placed on the special minor's license related to driving to work and driving to school, and what restrictions to include on the back of a special minor's license, including the requirement to carry the license, allowable driving times, and penalties.

Committee members expressed the importance of additional driver education training, including training related to restrictions placed on the special minor's license. Mr. Cotto explained the importance of additional driver education training and instruction in terms of reducing traffic crashes and fatalities and reducing insurance premiums.

## V. Recommendations

The following recommendations were approved by unanimous vote by the voting members of the committee:

- Any potential changes to the special minor's license framework should incorporate the ability for the holder of the license to obtain a combined farm and work permit.
- Continue to require a school official to sign off in order for a student to be able to drive to school under a special minor's license.
- Require a parent or guardian to give his or her approval before the holder of a special minor's license will be allowed to obtain a permit to drive to work.



- Eliminate the current restriction that prevents an individual from obtaining a special minor's license if the individual lives within one mile of the school in which the individual is enrolled.
- Holders of a special minor's license should only be able to drive for one hour before and after the start and end, respectively, of the licensee's approved event, and spectating extracurricular activities are not approved events.
- The proper starting point for discussions related to the size of the radius that will govern driving restrictions under the special minor's license is 25 miles from the school the holder of the special minor's license attends.
- Holders of a special minor's license who are enrolled in public school should be allowed to drive to school under such license so long as the holder's primary residence is within 25 miles of the school, with an exception for holders whose primary residence is located outside of that 25-mile radius and still within the public school district.
- Holders of a special minor's license who are enrolled in nonpublic school should be allowed to drive to school under such license so long as the holder's primary residence is within 25 miles of the school, with no exception for holders whose primary residence is located outside of that 25-mile radius.
- Current law related to the number and types of passengers a person holding a special minor's license may transport should be maintained.
- Allow two additional residences to be added under the special minor's license.
- Allow a holder of a special minor's license to drive through a contiguous school district, so long as that contiguous school district is within the 25-mile allowable driving radius.
- Suspend the special minor's license of a person who violates the terms of the license for three months, and prohibit the person from obtaining an intermediate license for three months.

### **VI. Materials Filed with the Legislative Services Agency**

Materials were distributed at or in connection with the meeting and are filed with the Legislative Services Agency. The materials may be accessed from the "Committee Documents" link on the committee's Internet site accessible at the following address: [www.legis.iowa.gov/committees/meetings/documents?committee=39587&ga=ALL](http://www.legis.iowa.gov/committees/meetings/documents?committee=39587&ga=ALL).