

**CHAPTER 126****SCHOOL LAWS***S.F. 473*

**AN ACT** relating to accredited schools and school districts, making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, providing exceptions to certain uses of funds received under an instructional support program, and changing the district in which shared-time pupils are counted under the postsecondary enrollment options Act and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 256.9, subsection 24, Code 1991, is amended to read as follows:

24. Report biennially to the governor, at the time provided by law, the condition of the schools under the department's supervision, including the number and kinds of school districts, the number of schools of each kind, the number and value of schoolhouses, the enrollment and attendance in each county district for the previous year, any measures proposed for the improvement of the public schools, financial and statistical information of public importance, and general information relating to educational affairs and conditions within the state or elsewhere. The report shall also review the programs and services of the department.

Sec. 2. Section 256.19, Code 1991, is amended to read as follows:

256.19 PILOT PROJECTS.

For fiscal years in which moneys are appropriated by the general assembly for the purpose of ~~section 256.18~~ conducting pilot projects as approved by the state board of education to improve school district instructional programs, the state board of education shall notify the department of revenue and finance of the amounts necessary for each pilot project in order to reimburse the licensed instructional personnel pursuant to ~~section 256.18, subsection 4~~, for the in-service training pursuant to ~~section 256.18, subsection 5~~, and school districts for other costs related to the approved pilot projects.

Sec. 3. Section 257.19, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The additional funding for the instructional support program for a budget year is limited to an amount not exceeding ten percent of the total of regular program district cost for the budget year and moneys received under section 257.14 as a budget adjustment for the budget year. Moneys received by a district for the instructional support program are miscellaneous income and may be used for any general fund purpose. However, moneys received by a district for the instructional support program shall not be used as, or in a manner which has the effect of, supplanting funds authorized to be received under sections 257.41, 257.46, 298.2, and 298.4, or to cover any deficiencies in funding for special education instructional services resulting from the application of the special education weighting plan under section 281.9.

Sec. 4. Section 261C.3, subsection 2, Code 1991, is amended to read as follows:

2. "Eligible pupil" means a pupil classified by the board of directors of a school district or the authorities in charge of an accredited nonpublic school as an eleventh or twelfth grade pupil during the period the pupil is participating in the enrollment option provided under this chapter. A pupil attending an accredited nonpublic school shall be counted as a shared-time student in the pupil's school district of residence school district in which the nonpublic school of attendance is located for state foundation aid purposes.

Sec. 5. Section 256.18, Code 1991, is repealed.

Sec. 6. Section 3 of this Act does not apply to funds received by a district for the instructional support program as a result of a levy which was authorized prior to the effective date of this Act.

Sec. 7. Sections 3 and 6 of this Act, being deemed of immediate importance, take effect upon enactment.

Approved May 7, 1991

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## CHAPTER 127

### TRANSPORTATION OF HAZARDOUS MATERIALS

*H.F. 252*

**AN ACT** relating to exempting certain cargo tank motor vehicles from hazardous materials transportation regulations, and providing for the repeal of the Act.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.450, unnumbered paragraph 1, Code 1991, is amended to read as follows:

A person shall not transport or have transported or shipped within this state any hazardous material except in compliance with rules adopted by the department under chapter 17A. The rules shall be consistent with the federal hazardous materials regulations promulgated under United States Code, Title 49, and found in 49 C.F.R. §§ 107, 171 to 173, 177, ~~and 178, and 180~~. However, rules adopted under this section concerning tank specifications shall not apply to cargo tank motor vehicles with a capacity of four thousand gallons or less used to transport gasoline in intrastate commerce, which were manufactured between 1950 and ~~1979~~ 1989, were domiciled in Iowa prior to July 1, 1991, and are in compliance with the American society of mechanical engineers specifications in effect at the time of manufacture.

Sec. 2. Section 1 of this Act is repealed July 1, 1994. On that date the Code editor shall return the language in section 1 of this Act to the language appearing in the 1991 Code.

Approved May 7, 1991

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## CHAPTER 128

### MINORS' DRIVER'S LICENSES

*H.F. 297*

**AN ACT** relating to minor's restricted licenses and driver's license reciprocity for minors.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.178, subsection 2, paragraph a, Code 1991, is amended to read as follows:

a. Any person between sixteen and eighteen years of age who is not in attendance at school or who is in attendance in a public or private school where an approved driver's education course is not offered or available, may be issued a restricted license only for travel to and from work or to transport dependents to and from temporary care facilities, if necessary for the person to maintain the person's present employment without having completed an approved driver's education course. The restricted license shall be issued by the department only upon confirmation of the person's employment and need for a restricted license to travel to and from