

CHAPTER 636
MOTORIZED BICYCLE RIDER EDUCATION

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

761—636.1(321) Information and location. Applications, forms and information regarding this chapter are available by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at (515)244-8725; or by facsimile at (515)239-1837.

[ARC 5258C, IAB 11/4/20, effective 12/9/20; Editorial change: IAC Supplement 12/28/22]

761—636.2(321) Definitions.

“Approved course” means the motorized bicycle rider education course approved by the department.

“Instructor” means a person approved by the department to instruct a motorized bicycle rider education course.

“Program approval” means department approval of an entity’s motorized bicycle rider education course and instructors.

“Sponsor” means an entity that delivers the approved course.

[ARC 5258C, IAB 11/4/20, effective 12/9/20]

761—636.3 Reserved.

761—636.4(321) Approved program in motorized bicycle rider education.

636.4(1) *Program approval.* Any entity planning to offer a motorized bicycle rider education course must receive program approval from the department prior to the beginning of the first class that is offered and annually thereafter.

636.4(2) *Application and fees.* Application for initial program approval or annual program approval renewal shall be made to the department in a manner determined by the department. The application fee is \$25 for a private or commercial sponsor. The fee must be paid by cash, money order or check unless the department approves payment of the fee by electronic means. A money order or check must be for the exact amount and should be made payable to the Treasurer, State of Iowa, or the Department of Transportation.

636.4(3) *Initial program approval and annual renewal.* Program approval to provide motorized bicycle rider education shall be issued for a calendar year or remainder of a calendar year. The program approval expires on December 31 but remains valid for an additional 30 days after the expiration date. The application for renewal shall be submitted to the department within 60 days of the expiration date, unless otherwise approved by the department.

636.4(4) *Cancellation and denial.* The department shall cancel or deny program approval if the course or instructors are no longer approved.

[ARC 5258C, IAB 11/4/20, effective 12/9/20]

761—636.5(321) Course requirements.

636.5(1) *Classroom instruction.* An approved course shall consist of a minimum of six clock hours of classroom instruction which includes the instructional components contained in subrule 636.5(3).

636.5(2) *Driving instruction.* Motorized bicycle rider driving experiences in addition to classroom instruction are permissible, but not required.

636.5(3) *Course content.* The following instructional components shall be incorporated in every motorized bicycle rider education course.

a. Operator and motorized bicycle preparation.

- (1) Knowledge of Iowa driving laws.
- (2) Knowledge of vehicle registration requirements.
- (3) Vehicle inspection.
- (4) Protective clothing and devices.

- (5) Risk assessment.
- (6) Route selection.
- b. Basic control skills.*
 - (1) Starting procedures.
 - (2) Speed control.
 - (3) Turning.
 - (4) Stopping.
- c. Safe driving practices.*
 - (1) Use of lights and warning devices.
 - (2) Signaling.
 - (3) Maintaining directional control.
 - (4) Perception skills and observation.
 - (5) Use of mirrors.
 - (6) Recognition of hazards.
 - (7) Speed control.
 - (8) Lane positioning.
 - (9) Concerns and conflicts regarding intersections.
 - (10) Following distances.
 - (11) Lateral separation.
- d. Complex situations.*
 - (1) Limited visibility.
 - (2) Adverse weather.
 - (3) Critical situations.
 - (4) Malfunctions.
- e. Motorized bicycle care.*
 - (1) Inspection.
 - (2) Maintenance.

[ARC 5258C, IAB 11/4/20, effective 12/9/20]

761—636.6(321) Instructor approval. An instructor of an approved motorized bicycle rider education course must be listed on the application for program approval as provided in subrules 636.4(1) and 636.4(2) and approved by the department.

636.6(1) Instructor qualifications. An instructor of an approved course shall possess a valid driver's license allowing unaccompanied driving other than a temporary restricted license and shall be able to operate a motorized bicycle. An instructor must also have a clear driving record for the previous two years. A clear driving record means the instructor has:

- a.* 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).
- b.* No driver's license suspensions, revocations, denials, cancellations, disqualifications or bars.
- c.* Not committed an offense that would result in driver's license suspension, revocation, denial, cancellation, disqualification or bar.
- d.* No record of a law enforcement investigative report indicating a contributive motor vehicle accident that caused the death or serious injury of another person.
- e.* No record of a law enforcement investigative report indicating two or more contributive motor vehicle accidents in a two-year period.

636.6(2) Cancellation and denial. When an instructor of an approved program does not meet the qualifications under this chapter, the department shall remove the instructor from the approved program and cancel or deny the approval of the program unless the entity has submitted an application for or secured approval of an alternate instructor from the department.

[ARC 5258C, IAB 11/4/20, effective 12/9/20]

761—636.7(321) Evaluation. Each student shall be evaluated by the instructor to determine successful completion of the course.

[ARC 5258C, IAB 11/4/20, effective 12/9/20]

These rules are intended to implement Iowa Code section 321.189.

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