

CHAPTER 634  
DRIVER EDUCATION

**761—634.1(321) Information and location.** Applications, forms and information regarding this chapter are available by mail from the Office of Driver Services, 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)237-3153; or by facsimile at (515)237-3071.

**761—634.2(321) Definition.**

*“Laboratory instruction”* includes instruction received by a student while the student is in the driver education vehicle or adjacent to it as referred to in paragraphs 634.4(2) *“c”* and 634.4(2) *“d”* and may also include range or simulation as referred to in paragraphs 634.4(2) *“h”* and 634.4(2) *“i.”*

**761—634.3** Reserved.

**761—634.4(321) Driver education course standards and requirements.**

**634.4(1) Course approval.** Any school district, area education agency, merged area school, other agency or individual planning to offer a driver education course must receive course approval from the department prior to the beginning of the first class that is offered and annually thereafter. The agency or institution or individual shall complete a form provided by the department to apply for course approval. Course approval will be issued for a calendar year or remainder of a calendar year. The approval expires on December 31 and must be renewed annually.

**634.4(2) Course requirements.** Driver education courses must comply with the following:

*a.* Schools shall provide for each student a minimum of 1800 minutes in classroom instruction, plus 360 minutes in supervised laboratory instruction, exclusive of observation time, in a dual-control motor vehicle.

*b.* Each student shall be scheduled to receive classroom and laboratory instruction each week of the course but in no case shall laboratory instruction conclude later than 30 days after classroom instruction is completed.

*c.* Behind-the-wheel instruction shall be limited to a maximum of 30 minutes per student per session and a maximum of 60 minutes in a single day.

*d.* Two or more students shall be scheduled for all behind-the-wheel instruction to ensure that appropriate observation time is experienced.

*e.* Routine maintenance of motor vehicles to maximize energy efficiency and safety shall be included in classroom instruction.

*f.* Operation of motor vehicles to maximize energy efficiency and safety shall be included in classroom instruction.

*g.* Each school district shall provide students who are absent from instruction an opportunity to make up a reasonable amount of time and coursework.

*h.* When driving simulators are used for part of the behind-the-wheel driving experience, four hours of simulator experience shall be considered equal to one hour of behind-the-wheel driving in the car. However, in addition to simulator time, a minimum of three hours of on-street, behind-the-wheel driving must be completed.

*i.* When driving ranges are used in driver education courses, two hours of range experience shall be considered equal to one hour of on-street, behind-the-wheel driving. However, in addition to range time, a minimum of three hours of on-street, behind-the-wheel driving must be completed.

*j.* Motor vehicles which are designed primarily for carrying nine or fewer occupants, excluding motorcycles and mopeds, are the only motor vehicles approved for use in driver education courses, and each shall be equipped with a dual control. In addition, all driver education vehicles shall have an inside rearview mirror and an outside rearview mirror mounted on each side of the vehicle.

*k.* The driver education teacher shall verify at the beginning of each course that each student possesses a valid instruction permit or driver’s license. Each student shall be responsible for possessing

an instruction permit or driver's license throughout all laboratory instruction and report any suspension, revocation or cancellation of the instruction permit or driver's license to the driver education teacher prior to attending laboratory instruction.

**634.4(3) *Experimental program.*** Approval of an experimental program may be granted by the department if based on student or school district need for improved instruction. The maximum duration of an experimental program shall be three years. Annual documentation of the effectiveness of instruction is required and must be submitted to the department subsequent to program completion.

**761—634.5** Reserved.

**761—634.6(321) Teacher qualifications.** To qualify to be a driver education teacher, the teacher must:

**634.6(1)** Hold a valid driver's license that permits unaccompanied driving, other than a motorized bicycle license or a temporary restricted license.

**634.6(2)** Have a clear driving record for the previous two years. A clear driving record means the individual 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 an accident for which the individual was convicted of a moving traffic violation.

**761—634.7(321) Behind-the-wheel instructor's certification.** The following applies to departmental certification of a person who is qualified to provide the street or highway driving component of an approved driver education course.

**634.7(1) *Qualifications.*** To qualify for the behind-the-wheel driving instructor certification, the applicant must:

*a.* Be at least 25 years of age.

*b.* Hold a valid driver's license that permits unaccompanied driving, other than a motorized bicycle license or a temporary restricted license.

*c.* Have a clear driving record for the previous two 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 that 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.

*d.* Have successfully completed the instructor preparation requirements of this rule, as evidenced by written attestations on a form provided by the department from both the classroom instructor and behind-the-wheel observer.

**634.7(2) *Disqualifications.*** An individual shall be disqualified for the behind-the-wheel driving instructor certification for any of the following reasons:

*a.* The individual has been convicted of child abuse or sexual abuse of a child.

*b.* The individual has been convicted of a felony.

*c.* The individual's application is fraudulent.

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

**634.7(3) *Investigation.*** 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 into the applicant's criminal history from the department of public safety.

**634.7(4) Certification.**

a. To obtain a behind-the-wheel instructor's certification, an individual meeting the qualifications shall apply to the department on a form provided by the department. 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.

**634.7(5) Instructor preparation requirements.** The department shall develop the curriculum 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. Instructor preparation shall meet the following requirements:

a. Instructor preparation shall consist of 24 clock hours of classroom instruction and 12 clock hours of observed behind-the-wheel instruction.

b. 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. The duration of a classroom session shall not exceed four hours. Video conferencing may be used for course delivery.

c. 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. The duration of a behind-the-wheel session shall not exceed four hours. A dual-control motor vehicle must be used.

d. The individual seeking a behind-the-wheel certification must apply to the department within 12 months of the completion of the course.

**634.7(6) Cancellation.** The department shall cancel the behind-the-wheel instructor's certification of an individual who no longer qualifies under paragraph 634.7(1)"c" or who no longer meets the qualifications for a behind-the-wheel instructor's certification.

**634.7(7) 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.

**761—634.8(321) Private and commercial driver education schools.** The department licenses private and commercial driver education schools as follows:

**634.8(1) Instructor and course approval.** Prior to licensing a driver education school, the department shall approve the school's course, classroom instructors and laboratory instructors. Street or highway driving instruction must be provided by a person qualified as a classroom driver education instructor or a person certified by the department and authorized by the board of educational examiners. Written evidence of these approvals and certifications must be submitted to the department upon application for a license, upon renewal of a license, and upon reinstatement of a license following cancellation.

**634.8(2) Application and fees.** Application for license issuance or renewal shall be made to the department on forms provided by the department. The fee for a license or the renewal of a license is \$25. The fee must be paid by cash, money order or check. 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.

**634.8(3) Issuance and renewal.** 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.

**634.8(4) Cancellation.** A license to teach driver education shall be canceled if the course or instructor is no longer approved or the person providing only behind-the-wheel instruction for driver education is no longer certified by the department and authorized by the board of educational examiners.

**761—634.9** and **634.10** Reserved.

**761—634.11(321) Driver education—teaching parent.** As an alternative to a driver education course offered by a course provider approved under rule 761—634.4(321), a teaching parent may instruct a student in an approved course of driver education.

**634.11(1) Definitions.** As used in this rule:

*“Approved course”* means a driver education curriculum approved by the department that meets the requirements of Iowa Code section 321.178A and is appropriate for teaching-parent-directed driver education and related street or highway driving instruction.

*“Clear driving record”* means the individual currently and during the prior two-year period has not been identified as a candidate for suspension or revocation of a driver’s license under the habitual offender or habitual violator provisions of rule 761—615.9(321) or rule 761—615.13(321); is not subject to a driver’s license suspension, revocation, denial, cancellation, disqualification, or bar; and has no record of a conviction for a moving traffic violation determined to be the cause of a motor vehicle accident.

*“Course vendor”* means a third-party vendor that makes available commercially an approved course.

*“Student”* means a person between the ages of 14 and 21 years who is within the custody and control of the teaching parent and who holds a valid Iowa noncommercial instruction permit.

*“Teaching parent”* means the same as defined in Iowa Code section 321.178A.

**634.11(2) Application to serve as a teaching parent.**

*a.* A person who wishes to provide driver education as a teaching parent to a student shall submit an application on a form provided by the department to the office of driver services at the address indicated on the form.

*b.* The department shall review the application and shall deny the application for any of the following reasons:

(1) The person does not meet the qualifications to serve as a teaching parent set forth in Iowa Code section 321.178A.

(2) The person does not have a clear driving record.

(3) The application does not properly identify a student eligible to be instructed in driver education by the person.

(4) The department has determined the application should be rejected for any reason listed in Iowa Code section 321.13.

*c.* If the application is denied, the department shall issue a letter of denial to the person explaining the reason or reasons for the denial.

*d.* If the application is approved, the department shall issue a letter of approval to the person to serve as a teaching parent for the student identified in the application.

**634.11(3) Instruction by a teaching parent.**

*a.* A person approved to serve as a teaching parent shall instruct the student using an approved course.

*b.* The teaching parent shall select the course to be used from the list of approved courses posted on the department’s Internet site and shall purchase the course directly from the applicable course vendor.

*c.* No person shall provide driver education as a teaching parent until approved by the department, and the department shall not recognize driver education that was:

(1) Provided by a person before the person’s approval as a teaching parent.

(2) Provided by a person who has not been approved as a teaching parent.

(3) Provided to a person who is not a student as defined in subrule 634.11(1).

(4) Offered under a course other than an approved course.

**634.11(4) Course completion—certificate of completion.**

a. Upon the student's completion of an approved course, the teaching parent shall apply for a certificate of completion on behalf of the student. The teaching parent shall provide evidence showing the student's completion of an approved course and substantial compliance with the requirements of Iowa Code section 321.178A, by affidavit signed by the teaching parent on a form provided by the department. The teaching parent shall include with the application all documentation, statements, certifications, and logs required by Iowa Code section 321.178A. The application and all required documentation, statements, certifications, and logs shall be submitted to the office of driver services at the address indicated on the form.

b. The department shall review the application and evidence submitted and shall deny certification of completion if:

(1) The course was not conducted by a person approved by the department to serve as a teaching parent for the student for whom certification is sought.

(2) The application does not properly identify a student eligible to be instructed in driver education by the teaching parent.

(3) The application and evidence do not demonstrate the student's successful completion of an approved course.

(4) The application and evidence do not include all documentation, statements, certifications, and logs required by Iowa Code section 321.178A in adequate and proper form and content.

(5) The department has determined that the application should be rejected for any reason listed in Iowa Code section 321.13.

c. If the application is denied, the department shall issue a letter of denial to the teaching parent explaining the reason or reasons for the denial.

d. If the application is approved, the department shall issue a certificate of completion to the student identified in the application. A certification of completion issued by the department under this subrule shall constitute proof of successful completion of an Iowa-approved course in driver education but shall not be grounds for waiver of a driving test under 761—subrule 604.31(2).

**634.11(5) Course approval.**

a. A vendor that wishes to offer a driver education curriculum as an approved course in Iowa shall submit an application on a form provided by the department to the office of driver services at the address indicated on the form, along with a copy of all proposed curriculum materials. A vendor that wishes to offer an electronic curriculum may provide a uniform resource locator (URL) for the proposed electronic materials but must also provide physical copies of the proposed materials.

b. To be designated as an approved course, the curriculum submitted must, at a minimum, meet the requirements of Iowa Code section 321.178A, be appropriate for teaching-parent-directed driver education and related street or highway instruction, and meet or exceed the required content set forth in the Appendix to this rule.

c. The department shall review the application and proposed curriculum and shall issue a letter of denial to the course vendor explaining the reason or reasons for denial if the proposed curriculum does not meet the requirements for an approved course.

d. If the proposed curriculum is approved, the department shall issue a certificate of approval to the vendor designating the curriculum as an approved course and shall list the approved course on the department's Internet site. Course approval will be issued for one calendar year or for the remainder of a calendar year. The approval expires on December 31 and must be renewed annually by the submission of an application on a form provided by the department and all required materials as set forth in this subrule at least 60 days prior to the expiration date. Notwithstanding this paragraph, a course approval issued before December 31, 2014, shall not expire until December 31, 2015.

[ARC 1612C, IAB 9/3/14, effective 10/8/14]

These rules are intended to implement Iowa Code sections 321.178, 321.178A, 321.180B and 321.194.

[Filed 3/10/04, Notice 2/4/04—published 3/31/04, effective 5/5/04]

[Filed 10/11/06, Notice 8/30/06—published 11/8/06, effective 12/13/06]

[Filed 12/12/07, Notice 11/7/07—published 1/2/08, effective 2/6/08]  
[Filed ARC 1612C (Notice ARC 1526C, IAB 7/9/14), IAB 9/3/14, effective 10/8/14]

## Appendix to Rule 761—634.11(321)

To be designated as an approved course, a curriculum must, at a minimum, meet the requirements of Iowa Code section 321.178A, be appropriate for teaching-parent-directed driver education and related street or highway instruction, and meet or exceed the required content listed below:

1. *Duration and required content.* The course must provide for both classroom and behind-the-wheel instruction. As used in this rule, “*classroom instruction*” means instruction provided by a teaching parent in a private setting using printed or electronic course materials, and “*behind-the-wheel instruction*” means street or highway driving instruction provided by a teaching parent in a motor vehicle operated by the student.
  - a. Classroom instruction shall consist of at least 30 clock hours of classroom instruction and shall include all of the following:
    - i. Four hours of instruction concerning substance abuse.
    - ii. A minimum of 20 minutes of instruction concerning railroad crossing safety.
    - iii. Instruction relating to becoming an organ donor under the revised uniform anatomical gift Act as provided in Iowa Code chapter 142C.
    - iv. Instruction providing awareness about sharing the road with bicycles and motorcycles.
  - b. Behind-the-wheel instruction shall consist of at least 40 hours of street or highway driving including 4 hours of driving after sunset and before sunrise while accompanied by the teaching parent.
2. *Required topics.* The course may follow any format the vendor determines, provided all of the following topics are properly and adequately covered, as detailed in the course application form provided by the department:
  - a. Traffic law – *classroom instruction*
    - i. Introduction to driver education and driving laws and privileges.
    - ii. Understanding your license to drive.
    - iii. Right-of-way.
    - iv. Traffic control devices.
    - v. Controlling traffic flow.
    - vi. Alcohol and other drugs.
    - vii. Cooperating with other roadway users.
  - b. Driver preparation – *classroom and behind-the-wheel instruction*
    - i. Pre-drive tasks.
    - ii. Occupant protection.
    - iii. Symbols and devices.
    - iv. Starting tasks.
    - v. Vehicle operation and control tasks.
    - vi. Post-drive tasks.
    - vii. In-car progress assessment.
    - viii. Driving plan (*classroom instruction*).
  - c. Vehicle movements – *classroom and behind-the-wheel instruction*
    - i. Visual attention, mental attention and communication.
    - ii. Reference points.
    - iii. Vehicle balance.
    - iv. Vehicle maneuvers.

- v. In-car progress assessment (*behind-the-wheel instruction*).
- d. Driver readiness – *classroom and behind-the-wheel instruction*
  - i. Driving practices.
  - ii. Fatigue.
  - iii. Aggressive driving.
  - iv. In-car progress assessment (*behind-the-wheel instruction*).
- e. Risk reduction – *classroom and behind-the-wheel instruction*
  - i. Risk factors.
  - ii. Space management.
  - iii. In-car progress assessment (*behind-the-wheel instruction*).
- f. Environmental factors – *classroom and behind-the-wheel instruction*
  - i. Environmental characteristics.
  - ii. Environmental risk factors.
  - iii. In-car progress assessment (*behind-the-wheel instruction*).
- g. Distractions – *classroom and behind-the-wheel instruction*
  - i. Distractions.
  - ii. Multi-task performances.
  - iii. In-car progress assessment (*behind-the-wheel instruction*).
- h. Alcohol and other drugs – *classroom instruction*
  - i. Introduction of alcohol and other drug problems.
  - ii. Nature of alcohol-related crash problems.
  - iii. Physiological effects of alcohol.
  - iv. Psychological effects of alcohol.
  - v. Other drug effects on the driving task.
  - vi. Zero-tolerance in the driving environment.
- i. Vehicle movement and reference points – *behind-the-wheel instruction*
  - i. Vehicle movements and reference points (entering and exiting traffic and parking).
  - ii. In-car progress assessment (*behind-the-wheel instruction*).
- j. Adverse conditions – *classroom instruction*
  - i. Adverse weather and reduced visibility conditions.
  - ii. Traction loss.
  - iii. Emergencies.
- k. Vehicle requirements – *classroom and behind-the-wheel instruction*
  - i. Vehicle malfunctions (*classroom instruction*).
  - ii. Vehicle maintenance (*classroom instruction*).
  - iii. Trip planning (*classroom instruction*).
  - iv. Adverse conditions and vehicle requirements – off-street simulated practice (*behind-the-wheel instruction*).
  - v. In-car progress assessments (*behind-the-wheel instruction*).
- l. Consumer responsibility – *classroom and behind-the-wheel instruction*
  - i. Vehicle use and ownership (*classroom instruction*).
  - ii. Vehicle insurance (*classroom instruction*).



- iii. Environmental protection and litter prevention (*classroom instruction*).
- iv. Anatomical gift Act – organ donor (*classroom instruction*).
- v. Trip planning (*behind-the-wheel instruction*).
- vi. In-car progress assessment (*behind-the-wheel instruction*).
- m. Personal responsibility (*classroom and behind-the-wheel instruction*).
  - i. Comprehensive classroom progress assessment (testing) (*classroom instruction*).
  - ii. Driver licensing (*classroom instruction*).
  - iii. In-car progress assessment (*behind-the-wheel instruction*).

[ARC 1612C, IAB 9/3/14, effective 10/8/14]