

CHAPTER 23
BEHIND-THE-WHEEL DRIVING INSTRUCTOR AUTHORIZATION

[Prior to 1/14/09, see Educational Examiners Board[282] Ch 21]

282—23.1(272,321) Requirements. Applicants for the behind-the-wheel driving instructor authorization shall meet the following requirements:

23.1(1) Qualifications. To qualify for the behind-the-wheel driving instructor authorization, the applicant must:

- a. Be at least 25 years of age.
- b. Hold a valid Iowa 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 that 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 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 which results 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.

23.1(2) Approved coursework. The applicant shall successfully complete a behind-the-wheel driving instructor course approved by the department of transportation. At a minimum, classroom instruction shall include at least 12 clock hours of observed behind-the-wheel instruction and 24 clock hours of classroom instruction to include psychology of the young driver, behind-the-wheel teaching techniques, ethical teaching practices, and route selection.

282—23.2(272,321) Validity. All fees are nonrefundable as set out in 282—Chapter 12. The behind-the-wheel driving instructor authorization shall be valid for one calendar year, and it shall expire one year after issue date. The behind-the-wheel driving instructor authorization shall be valid only if the holder continues to be qualified under 282—subrule 23.1(1).

[ARC 8131B, IAB 9/9/09, effective 10/14/09]

282—23.3(272,321) Approval of courses. Each institution of higher education, private college or university, community college or area education agency wishing to offer the behind-the-wheel driving instructor authorization must submit course descriptions to the department of transportation for approval. After initial approval, any changes by agencies or institutions in course offerings shall be filed with the department of transportation and the board of educational examiners.

282—23.4(272,321) Application process. Any person interested in the behind-the-wheel driving instructor authorization shall submit records of completion of a department of transportation-approved program to the board of educational examiners for an evaluation of completion of coursework and all other requirements. Application materials are available from the board of educational examiners or the department of transportation or from institutions or agencies offering department of transportation-approved courses.

282—23.5(272,321) Renewal. All fees are nonrefundable. The behind-the-wheel driving instructor authorization may be renewed upon application and verification of successful completion of:

23.5(1) Providing behind-the-wheel instruction for a minimum of 12 clock hours during the previous school year; and

23.5(2) Successful participation in at least one department of transportation-sponsored or department of transportation-approved behind-the-wheel instructor refresher course; and

23.5(3) Effective September 1, 2002, the child and dependent adult abuse training approved by the state abuse education review panel. A waiver of this requirement may apply under the following conditions with appropriate documentation of any of the following:

- a.* The person is engaged in active duty in the military service of this state or of the United States.
- b.* The application of this requirement would impose an undue hardship on the person for whom the waiver is requested.
- c.* The person is practicing a licensed profession outside this state.
- d.* The person is otherwise subject to circumstances that would preclude the person from satisfying the approved child and dependent adult abuse training in this state.
- e.* The person has previously renewed a license or authorization issued by the board of educational examiners and, at that time, reported the completion, within the past five years, of child and dependent adult abuse training approved by the state abuse education review panel.

282—23.6(272,321) Revocation and suspension. Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the behind-the-wheel driving instructor authorization.

These rules are intended to implement Iowa Code chapter 272 and section 321.178.

[Filed 12/24/08, Notice 10/22/08—published 1/14/09, effective 2/18/09]

[Filed ARC 8131B (Notice ARC 7861B, IAB 6/17/09), IAB 9/9/09, effective 10/14/09]