

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.