

761—634.4(321) Instructor qualifications, application, and certification.

634.4(1) *Behind-the-wheel instructor qualifications.* Behind-the-wheel instructors must:

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

b. Have a clear driving record for the previous two years.

634.4(2) *Behind-the-wheel instructor's certification requirements.* Except as otherwise provided in this chapter, the following requirements apply to a behind-the-wheel instructor:

a. An applicant for a behind-the-wheel instructor's certification will apply to the department using Form 431160.

(1) An initial behind-the-wheel instructor's certification is to be submitted annually within 60 days of the expiration date unless otherwise approved by the department. The instructor approval expires on December 31 but remains valid for an additional 30 days after the expiration date.

(2) To renew a behind-the-wheel instructor's certification, a person will do all of the following:

1. Apply to the department annually. Instructor approval is valid for a calendar year or the remainder of a calendar year. The instructor approval expires on December 31 but remains valid for an additional 30 days after the expiration date. An application for renewal of instructor approval shall be submitted within 60 days of the expiration date unless otherwise approved by the department.

2. Provide behind-the-wheel instruction for a minimum of 12 clock hours during each calendar year.

b. A behind-the-wheel instructor will complete at least one state-sponsored or state-approved behind-the-wheel instructor refresher course biennially. Approved courses may include electronic completion or remote attendance options. The department may develop a special course for licensed teachers or peace officers who qualify to provide behind-the-wheel instruction under subrule 634.4(3) or 634.4(5).

c. Upon certification, but prior to providing behind-the-wheel instruction, the person will be:

(1) Authorized by the Iowa board of educational examiners to provide behind-the-wheel driving instruction unless exempt under Iowa Code section 321.178.

(2) Employed by a public or licensed commercial or private provider of the approved driver education course.

634.4(3) *Instructor's certification for licensed teachers.* A teacher licensed by the Iowa board of educational examiners as provided in 282—subrule 13.10(8) will be included as an approved instructor on an annual driver education course approval as referenced in subrules 634.3(1) and 634.6(1) and shall meet the requirements in paragraph 634.4(2)“b” to be certified by the department to provide behind-the-wheel instruction.

634.4(4) *Instructor application and certification for a teacher with an expired teacher's license.* A teacher who holds an expired initial, standard, exchange, or master educator license with an endorsement for driver education as provided in 282—subrule 13.10(8) shall meet the requirements in subrule 634.4(2) to be certified by the department to provide behind-the-wheel instruction.

634.4(5) *Instructor application and certification for active peace officers and retired peace officers.*

a. An applicant for behind-the-wheel instructor certification who is an active peace officer or a retired peace officer as referenced in Iowa Code section 321.178 shall:

(1) Be at least 25 years of age.

(2) Submit Form 431233 certifying the person's status as an active or retired peace officer.

(3) Meet all other requirements of subrule 634.4(2), except peace officers or retired peace officers who otherwise qualify under this subrule are not required to meet the requirement of subparagraph 634.4(2)“c”(1).

b. A retired peace officer is only required to submit Form 431233, required under paragraph 634.4(5)“a,” to the department once unless the form is invalid or not accepted by the department.

634.4(6) *Instructor application and certification for persons other than licensed teachers, peace officers or retired peace officers.* A person who is not licensed by the Iowa board of educational examiners to provide classroom driver education as provided in 282—subrule 13.10(8), who does not hold an expired teacher's license as referenced in subrule 634.4(4), or who is not a peace officer or a retired peace officer as referenced in Iowa Code section 321.178 must satisfy all of the following to be certified by the department to provide behind-the-wheel instruction:

- a. Be at least 25 years of age.
- b. Meet the requirements in subrule 634.4(2).
- c. Successfully complete a department-approved instructor preparation course within 12 months of application for behind-the-wheel instruction certification. The instructor preparation course will:
 - (1) Be a driver education teacher preparation program that is designed to observe, coach, and evaluate behind-the-wheel instructor candidates.
 - (2) Be approved by the Iowa board of educational examiners.
 - (3) Consist of 24 hours of classroom instruction in sessions not exceeding 4 hours that covers, at minimum, the psychology of the young driver, behind-the-wheel teaching techniques, and driving route selection.
 - (4) Consist of 12 hours of behind-the-wheel instruction in sessions not exceeding 4 hours in a dual-controlled vehicle with a licensed driver education instructor.

634.4(7) *Behind-the-wheel certification—reissuance.*

- a. Completion of the behind-the-wheel instructor preparation course will be required to re-issue a behind-the-wheel instructor certification that has expired and is past the renewal date unless the applicant has:
 - (1) Held a valid behind-the-wheel certification within the two years immediately preceding the application.
 - (2) Provided a minimum of 12 clock hours of behind-the-wheel instruction within the two years immediately preceding the application.
 - (3) Completed at least one state-sponsored or state-approved behind-the-wheel instructor refresher course within the two calendar years immediately preceding the application unless otherwise exempt under this chapter.
 - (4) Completed a minimum of 12 clock hours shadowing a teacher licensed by the Iowa board of educational examiners as provided in 282—subrule 13.10(8) through a department-approved driver education program within 90 days immediately preceding the application.
- b. Upon recertification but prior to providing behind-the-wheel instruction, the person will:
 - (1) Be authorized by the Iowa board of educational examiners to provide behind-the-wheel driving instruction unless otherwise exempt under this chapter.
 - (2) 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 by the Iowa board of educational examiners as provided in 282—subrule 13.10(8).

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