

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 behind-the-wheel instruction.

“Clear driving record” means the person 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) Reserved.

634.11(3) Instruction by a teaching parent.

a. 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 website and shall purchase the course directly from the applicable course vendor.

c. No person shall provide driver education as a teaching parent unless the person meets the definition of a teaching parent, and the department shall not recognize driver education that was:

(1) Provided by a person who does not meet the definition of a teaching parent.

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

(3) 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 motor vehicle division.

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 meeting the definition of 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. For a course to become an approved course under Iowa Code section 321.178A, a vendor of a driver education curriculum shall submit an application on a form provided by the department to the motor vehicle division, along with a copy of all proposed curriculum materials. A vendor offering an electronic curriculum may provide a uniform resource locator (URL) for the proposed electronic 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 website. 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, unless otherwise approved by the department.

[ARC 1612C, IAB 9/3/14, effective 10/8/14; ARC 4909C, IAB 2/12/20, effective 3/18/20; ARC 6062C, IAB 12/1/21, effective 1/5/22; ARC 6337C, IAB 6/1/22, effective 7/6/22]