

**761—635.3(321) Instructors.**

**635.3(1) License.** An instructor of the approved course must be licensed by the department. However, an individual who meets the qualifications for a license except for paragraph 635.3(2) “d” or whose license is denied under paragraph 635.3(3) “c” may teach the approved course as provided in those paragraphs.

**635.3(2) Licensing provisions.** A motorcycle rider education instructor’s license 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 of the year it is issued. The application for renewal shall be submitted to the department within 60 days of the expiration date, unless otherwise approved by the department. To obtain and retain an MRE instructor’s license, an individual must:

a. Possess a valid Class M driver’s license or a motorcycle endorsement or equivalent license or endorsement that is valid for a two-wheel motorcycle.

b. Successfully complete a nationally recognized, research-based instructor preparation course approved by the department.

c. Possess a current instructor certification from a nationally recognized motorcycle safety organization approved by the department.

d. Before a license is granted, teach one class of the approved course under the guidance of an experienced, licensed instructor approved by the department.

e. After the year in which a license is granted, teach at least one nationally recognized, research-based motorcycle rider preparation course approved by the department in Iowa or another state each calendar year.

f. After the year in which a license is granted, complete at least one state-sponsored or state-approved instructor update each calendar year. The update must be completed in Iowa every other year.

g. 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 a law enforcement investigative report indicating a contributive motor vehicle accident that caused the death or serious injury of another person.

(5) No record of two or more contributive motor vehicle accidents in a two-year period.

**635.3(3) License cancellations and denials.**

a. The department shall cancel or deny the MRE license of an MRE instructor who does not have a clear driving record under paragraph 635.3(2) “g.” The cancellation or denial shall remain in effect until the individual has a clear driving record, as defined in paragraph 635.3(2) “g.”

b. The department shall cancel or deny the MRE license of an MRE instructor who fails to maintain a current instructor certification from a nationally recognized motorcycle safety organization approved by the department. The cancellation or denial shall remain in effect until the certification is current.

c. Each January, the department shall review each MRE instructor’s teaching activity and update completion. The department shall deny renewal of the MRE license of an MRE instructor who fails to meet these licensing provisions. The denial shall remain in effect until the individual has done the following:

(1) Obtained instructor certification from a nationally recognized motorcycle safety organization approved by the department.

(2) Taught one class of the approved course under the guidance of an experienced, licensed instructor approved by the department.