

Senate Amendment 3163

PAG LIN

1 1 Amend House File 740, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 10, by inserting after line 24 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 321.179 DRIVER EDUCATION
1 6 == TEACHING PARENT.
1 7 1. TEACHING PARENT. As an alternative to the
1 8 driver education requirements under section 321.178, a
1 9 teaching parent may instruct a student in a driver
1 10 education course that meets the requirements of this
1 11 section and provide evidence that the requirements
1 12 under this section have been met.
1 13 2. DEFINITIONS. For purposes of this section:
1 14 a. "Approved course" means driver education
1 15 curriculum approved by the department pursuant to
1 16 rules adopted under chapter 17A. An approved course
1 17 shall, at a minimum, meet the requirements of
1 18 subsection 3 and be appropriate for teaching-parent=
1 19 directed driver education and related street or
1 20 highway instruction. Driver education materials that
1 21 meet or exceed standards established by the department
1 22 for an approved course in driver education for a
1 23 public or private school shall be approved unless
1 24 otherwise determined by the department. The list of
1 25 approved courses shall be posted on the department's
1 26 website.
1 27 b. "Student" means a person who is at least
1 28 fourteen but not yet eighteen years of age who is
1 29 within the custody and control of the teaching parent
1 30 and who satisfies preliminary licensing requirements
1 31 of the department.
1 32 c. "Teaching parent" means a parent, guardian, or
1 33 legal custodian of a student who is currently
1 34 providing competent private instruction to the student
1 35 pursuant to section 299A.2 or 299A.3 and who provided
1 36 such instruction to the student during the previous
1 37 year; who has a valid driver's license, other than a
1 38 motorized bicycle license or a temporary restricted
1 39 license, that permits unaccompanied driving; and who
1 40 has maintained a clear driving record for the previous
1 41 two years. For purposes of this paragraph, "clear
1 42 driving record" means the individual has not been
1 43 identified as a candidate for suspension of a driver's
1 44 license under the habitual offender provisions of this
1 45 chapter; is not subject to a driver's license
1 46 suspension, revocation, denial, cancellation,
1 47 disqualification, or bar; and has no record of a
1 48 conviction for a moving traffic violation determined
1 49 to be the cause of a motor vehicle accident.
1 50 3. COURSE OF INSTRUCTION. An approved course
2 1 administered by a teaching parent shall consist of,
2 2 but not be limited to, the following:
2 3 a. Thirty clock hours of classroom instruction.
2 4 b. Forty hours of street or highway driving while
2 5 accompanied by the teaching parent, including four
2 6 hours of driving after sunset and before sunrise.
2 7 c. Four hours of classroom instruction concerning
2 8 substance abuse.
2 9 d. A minimum of twenty minutes of instruction
2 10 concerning railroad crossing safety.
2 11 e. Instruction relating to becoming an organ donor
2 12 under the uniform anatomical gift Act.
2 13 The content of the course of instruction required
2 14 under this subsection shall be equivalent to that
2 15 required under section 321.178. However, reference
2 16 and study materials, physical classroom requirements,
2 17 and extra vehicle safety equipment required for
2 18 instruction under section 321.178 shall not be
2 19 required for the course of instruction provided under
2 20 this section.
2 21 4. COURSE COMPLETION AND CERTIFICATION. Upon
2 22 application by a student for an intermediate license,
2 23 the teaching parent shall provide evidence showing the
2 24 student's completion of an approved course and

2 25 substantial compliance with the requirements of
2 26 subsection 3 by affidavit signed by the teaching
2 27 parent on a form to be provided by the department.
2 28 The evidence shall include all of the following:
2 29 a. Documentation that the instructor is a teaching
2 30 parent as defined in subsection 2.
2 31 b. Documentation that the student is receiving
2 32 competent private instruction under section 299A.2 or
2 33 the name of the school district within which the
2 34 student is receiving instruction under section 299A.3.
2 35 c. The name of the approved course completed by
2 36 the student.
2 37 d. An affidavit attesting to satisfactory
2 38 completion of course work and street or highway
2 39 driving instruction.
2 40 e. Copies of written tests completed by the
2 41 student.
2 42 f. A statement of the number of classroom hours of
2 43 instruction.
2 44 g. A log of completed street or highway driving
2 45 instruction including the dates when the lessons were
2 46 conducted, the student's and the teaching parent's
2 47 name and initials noted next to each entry, notes on
2 48 driving activities including a list of driving
2 49 deficiencies and improvements, and the duration of the
2 50 driving time for each session.

3 1 5. INTERMEDIATE LICENSE. Any student who
3 2 successfully completes an approved course as provided
3 3 in this section, passes a driving test to be
3 4 administered by the department, and is otherwise
3 5 qualified under section 321.180B, subsection 2, shall
3 6 be eligible for an intermediate license pursuant to
3 7 section 321.180B. Twenty of the forty hours of street
3 8 or highway driving instruction required under
3 9 subsection 3, paragraph "b", may be utilized to
3 10 satisfy the requirement of section 321.180B,
3 11 subsection 2.

3 12 6. FULL LICENSE. A student must comply with
3 13 section 321.180B, subsection 4, to be eligible for a
3 14 full driver's license pursuant to section 321.180B.

3 15 Sec. 2. Section 321.180B, subsection 2, unnumbered
3 16 paragraph 1, Code 2005, is amended to read as follows:

3 17 The department may issue an intermediate driver's
3 18 license to a person sixteen or seventeen years of age
3 19 who possesses an instruction permit issued under
3 20 subsection 1 or a comparable instruction permit issued
3 21 by another state for a minimum of six months
3 22 immediately preceding application, and who presents an
3 23 affidavit signed by a parent or guardian on a form to
3 24 be provided by the department that the permittee has
3 25 accumulated a total of twenty hours of street or
3 26 highway driving of which two hours were conducted
3 27 after sunset and before sunrise and the street or
3 28 highway driving was with the permittee's parent,
3 29 guardian, instructor, a person certified by the
3 30 department, or a person at least twenty-five years of
3 31 age who had written permission from a parent or
3 32 guardian to accompany the permittee, and whose driving
3 33 privileges have not been suspended, revoked, or barred
3 34 under this chapter or chapter 321J during, and who has
3 35 been accident and conviction free continuously for,
3 36 the six-month period immediately preceding the
3 37 application for an intermediate license. An applicant
3 38 for an intermediate license must meet the requirements
3 39 of section 321.186, including satisfactory completion
3 40 of driver education as required in section 321.178 or
3 41 321.179, and payment of the required license fee

3 42 before an intermediate license will be issued. A
3 43 person issued an intermediate license must limit the
3 44 number of passengers in the motor vehicle when the
3 45 intermediate licensee is operating the motor vehicle
3 46 to the number of passenger safety belts.

3 47 Sec. 3. Section 321.194, subsection 1, unnumbered
3 48 paragraph 1, Code 2005, is amended to read as follows:

3 49 Upon certification of a special need by the school
3 50 board, superintendent of the applicant's school, or
4 1 principal, if authorized by the superintendent, the
4 2 department may issue a class C or M driver's license
4 3 to a person between the ages of fourteen and eighteen
4 4 years whose driving privileges have not been
4 5 suspended, revoked, or barred under this chapter or

4 6 chapter 321J during, and who has not been convicted of
4 7 a moving traffic violation or involved in a motor
4 8 vehicle accident for, the six-month period immediately
4 9 preceding the application for the special minor's
4 10 license and who has successfully completed an approved
4 11 driver education course other than a course taught
4 12 pursuant to section 321.179. However, the completion
4 13 of a course is not required if the applicant
4 14 demonstrates to the satisfaction of the department
4 15 that completion of the course would impose a hardship
4 16 upon the applicant. The department shall adopt rules
4 17 defining the term "hardship" and establish procedures
4 18 for the demonstration and determination of when
4 19 completion of the course would impose a hardship upon
4 20 an applicant.>
4 21 #2. Title page 1, line 18, by inserting after the
4 22 word <instruction,> the following: <providing for
4 23 driver education by a parent of a child receiving
4 24 competent private instruction,>.
4 25 #3. By renumbering as necessary.
4 26
4 27
4 28
4 29 JAMES HAHN
4 30 LARRY McKIBBEN
4 31 DAVID JOHNSON
4 32 NANCY BOETTGER
4 33 JAMES SEYMOUR
4 34 DAVE MULDER
4 35 HUBERT M. HOUSER
4 36 JOHN PUTNEY
4 37 HF 740.205 81
4 38 kh/sh/2411