

Senate Amendment 3341

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1 1 Amend the amendment, S=3328, to Senate File 478, as
1 2 follows:
1 3 #1. Page 65, by inserting after line 40 the
1 4 following:
1 5 <DIVISION ____
1 6 DRIVER EDUCATION
1 7 Sec. ____ . NEW SECTION. 321.179 DRIVER EDUCATION
1 8 == TEACHING PARENT.
1 9 1. TEACHING PARENT. As an alternative to the
1 10 driver education requirements under section 321.178, a
1 11 teaching parent may instruct a student in a driver
1 12 education course that meets the requirements of this
1 13 section and provide evidence that the requirements
1 14 under this section have been met.
1 15 2. DEFINITIONS. For purposes of this section:
1 16 a. "Approved course" means driver education
1 17 curriculum approved by the department pursuant to
1 18 rules adopted under chapter 17A. An approved course
1 19 shall, at a minimum, meet the requirements of
1 20 subsection 3 and be appropriate for teaching=
1 21 parent-directed driver education and related street or
1 22 highway instruction. Driver education materials that
1 23 meet or exceed standards established by the department
1 24 for an approved course in driver education for a
1 25 public or private school shall be approved unless
1 26 otherwise determined by the department. The list of
1 27 approved courses shall be posted on the department's
1 28 internet website.
1 29 b. "Student" means a person between the ages of
1 30 fourteen and twenty-one years who is within the
1 31 custody and control of the teaching parent and who
1 32 satisfies preliminary licensing requirements of the
1 33 department.
1 34 c. "Teaching parent" means a parent, guardian, or
1 35 legal custodian of a student who is currently
1 36 providing competent private instruction to the student
1 37 pursuant to section 299A.2 or 299A.3 and who provided
1 38 such instruction to the student during the previous
1 39 year; who has a valid driver's license, other than a
1 40 motorized bicycle license or a temporary restricted
1 41 license, that permits unaccompanied driving; and who
1 42 has maintained a clear driving record for the previous
1 43 two years. For purposes of this paragraph, "clear
1 44 driving record" means the individual has not been
1 45 identified as a candidate for suspension of a driver's
1 46 license under the habitual offender provisions of the
1 47 department's regulations; is not subject to a driver's
1 48 license suspension, revocation, denial, cancellation,
1 49 disqualification, or bar; and has no record of a
1 50 conviction for a moving traffic violation determined
2 1 to be the cause of a motor vehicle accident.
2 2 3. COURSE OF INSTRUCTION.
2 3 a. An approved course administered by a teaching
2 4 parent shall consist of, but not be limited to, the
2 5 following:
2 6 (1) Thirty clock hours of classroom instruction.
2 7 (2) Forty hours of street or highway driving
2 8 including four hours of driving after sunset and
2 9 before sunrise while accompanied by the teaching
2 10 parent.
2 11 (3) Four hours of classroom instruction concerning
2 12 substance abuse.
2 13 (4) A minimum of twenty minutes of instruction
2 14 concerning railroad crossing safety.
2 15 (5) Instruction relating to becoming an organ
2 16 donor under the revised uniform anatomical gift Act as
2 17 provided in chapter 142C.
2 18 (6) Instruction providing an awareness about
2 19 sharing the road with bicycles and motorcycles.
2 20 b. The content of the course of instruction
2 21 required under this subsection shall be equivalent to
2 22 that required under section 321.178. However,
2 23 reference and study materials, physical classroom
2 24 requirements, and extra vehicle safety equipment

2 25 required for instruction under section 321.178 shall
2 26 not be required for the course of instruction provided
2 27 under this section.

2 28 4. COURSE COMPLETION AND CERTIFICATION. Upon
2 29 application by a student for an intermediate license,
2 30 the teaching parent shall provide evidence showing the
2 31 student's completion of an approved course and
2 32 substantial compliance with the requirements of
2 33 subsection 3 by affidavit signed by the teaching
2 34 parent on a form to be provided by the department.

2 35 The evidence shall include all of the following:

2 36 a. Documentation that the instructor is a teaching
2 37 parent as defined in subsection 2.

2 38 b. Documentation that the student is receiving
2 39 competent private instruction under section 299A.2 or
2 40 the name of the school district within which the
2 41 student is receiving instruction under section 299A.3.

2 42 c. The name of the approved course completed by
2 43 the student.

2 44 d. An affidavit attesting to satisfactory
2 45 completion of course work and street or highway
2 46 driving instruction.

2 47 e. Copies of written tests completed by the
2 48 student.

2 49 f. A statement of the number of classroom hours of
2 50 instruction.

3 1 g. A log of completed street or highway driving
3 2 instruction including the dates when the lessons were
3 3 conducted, the student's and the teaching parent's
3 4 name and initials noted next to each entry, notes on
3 5 driving activities including a list of driving
3 6 deficiencies and improvements, and the duration of the
3 7 driving time for each session.

3 8 5. INTERMEDIATE LICENSE. Any student who
3 9 successfully completes an approved course as provided
3 10 in this section, passes a driving test to be
3 11 administered by the department, and is otherwise
3 12 qualified under section 321.180B, subsection 2, shall
3 13 be eligible for an intermediate license pursuant to
3 14 section 321.180B. Twenty of the forty hours of street
3 15 or highway driving instruction required under
3 16 subsection 3, paragraph "a", subparagraph (2), may be
3 17 utilized to satisfy the requirement of section
3 18 321.180B, subsection 2.

3 19 6. FULL LICENSE. A student must comply with
3 20 section 321.180B, subsection 4, to be eligible for a
3 21 full driver's license pursuant to section 321.180B.

3 22 Sec. ____ Section 321.180B, subsection 2, Code
3 23 2009, is amended to read as follows:

3 24 2. INTERMEDIATE LICENSE.

3 25 a. The department may issue an intermediate
3 26 driver's license to a person sixteen or seventeen
3 27 years of age who possesses an instruction permit
3 28 issued under subsection 1 or a comparable instruction
3 29 permit issued by another state for a minimum of six
3 30 months immediately preceding application, and who
3 31 presents an affidavit signed by a parent or guardian
3 32 on a form to be provided by the department that the
3 33 permittee has accumulated a total of twenty hours of
3 34 street or highway driving of which two hours were
3 35 conducted after sunset and before sunrise and the
3 36 street or highway driving was with the permittee's
3 37 parent, guardian, instructor, a person certified by
3 38 the department, or a person at least twenty-five years
3 39 of age who had written permission from a parent or
3 40 guardian to accompany the permittee, and whose driving
3 41 privileges have not been suspended, revoked, or barred
3 42 under this chapter or chapter 321J during, and who has
3 43 been accident and violation free continuously for, the
3 44 six-month period immediately preceding the application
3 45 for an intermediate license. An applicant for an
3 46 intermediate license must meet the requirements of
3 47 section 321.186, including satisfactory completion of
3 48 driver education as required in section 321.178 or
3 49 321.179, and payment of the required license fee

3 50 before an intermediate license will be issued.

4 1 b. A person issued an intermediate license must
4 2 limit the number of passengers in the motor vehicle
4 3 when the intermediate licensee is operating the motor
4 4 vehicle to the number of passenger safety belts.

4 5 c. Except as otherwise provided, a person issued

4 6 an intermediate license under this subsection who is
4 7 operating a motor vehicle between the hours of
4 8 twelve=thirty a.m. and five a.m. must be accompanied
4 9 by a person issued a driver's license valid for the
4 10 vehicle operated who is the parent or guardian of the
4 11 permittee, a member of the permittee's immediate
4 12 family if the family member is at least twenty=one
4 13 years of age, an approved driver education instructor,
4 14 a prospective driver education instructor who is
4 15 enrolled in a practitioner preparation program with a
4 16 safety education program approved by the state board
4 17 of education, or a person at least twenty=five years
4 18 of age if written permission is granted by the parent
4 19 or guardian, and who is actually occupying a seat
4 20 beside the driver. However, a licensee may operate a
4 21 vehicle to and from school=related extracurricular
4 22 activities and work without an accompanying driver
4 23 between the hours of twelve=thirty a.m. and five a.m.
4 24 if such licensee possesses a waiver on a form to be
4 25 provided by the department. An accompanying driver is
4 26 not required between the hours of five a.m. and
4 27 twelve=thirty a.m.>

4 28 [#2.](#) By renumbering as necessary.

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4 36 RANDY FEENSTRA

4 37 SF 478.322 83

4 38 tm/jp/24281