

House File 2463

H-8274

1 Amend House File 2463 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 232.52, subsection 2, paragraph a,
5 subparagraph (4), subparagraph division (b), Code 2024, is
6 amended to read as follows:

7 (b) The child may be issued a temporary restricted license
8 or ~~school~~ special minor's restricted license if the child is
9 otherwise eligible.

10 Sec. 2. Section 321.1, subsection 20A, Code 2024, is amended
11 to read as follows:

12 20A. "*Driver's license*" means any license or permit issued
13 to a person to operate a motor vehicle on the highways of
14 this state, including but not limited to a restricted work,
15 special minor's restricted, temporary restricted, or temporary
16 license and an instruction, chauffeur's instruction, commercial
17 learner's, or temporary permit. For purposes of license
18 suspension, revocation, bar, disqualification, cancellation, or
19 denial under [this chapter](#) and [chapters 321A](#), [321C](#), and [321J](#),
20 "*driver's license*" includes any privilege to operate a motor
21 vehicle.

22 Sec. 3. Section 321.178, subsection 2, Code 2024, is amended
23 to read as follows:

24 2. *Restricted work license.*

25 a. (1) A person between sixteen and eighteen years of age
26 who has completed an approved driver education course and is
27 not in attendance at school and has not met the requirements
28 described in [section 299.2, subsection 1](#), may be issued a
29 restricted work license only for travel to and from work or to
30 transport dependents to and from temporary care facilities,
31 if necessary for the person to maintain the person's present
32 employment. The restricted work license shall be issued by the
33 department only upon confirmation of the person's employment
34 and need for a restricted work license to travel to and from
35 work or to transport dependents to and from temporary care

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1 facilities if necessary to maintain the person's employment.
2 The employer shall notify the department if the employment of
3 the person is terminated before the person attains the age of
4 eighteen.

5 (2) (a) A person issued a restricted work license
6 under this ~~section~~ subsection shall not use an electronic
7 communication device or an electronic entertainment device
8 while driving a motor vehicle unless the motor vehicle is at a
9 complete stop off the traveled portion of the roadway. This
10 subparagraph division does not apply to the use of electronic
11 equipment which is permanently installed in the motor vehicle
12 or to a portable device which is operated through permanently
13 installed equipment.

14 (b) The department, in cooperation with the department of
15 public safety, shall establish educational programs to foster
16 compliance with the requirements of subparagraph division (a).

17 *b.* The department may suspend a restricted ~~driver's~~ work
18 license issued under this ~~section~~ subsection upon receiving
19 satisfactory evidence that the licensee has violated the
20 restrictions imposed under paragraph "a", subparagraph (2),
21 subparagraph division (a). The department may also suspend a
22 restricted work license issued under this ~~section~~ subsection
23 upon receiving a record of the person's conviction for one
24 violation and shall revoke the license upon receiving a record
25 of conviction for two or more violations of a law of this state
26 or a city ordinance regulating the operation of motor vehicles
27 on highways, other than parking violations as ~~defined~~ described
28 in [section 321.210](#). After revoking a restricted work license
29 under this ~~section~~ paragraph, the department shall not grant an
30 application for a new driver's license or instruction permit
31 until the expiration of one year or until the person attains
32 the age of eighteen, whichever is the longer period.

33 *c.* A person who violates the restrictions imposed under
34 paragraph "a", subparagraph (2), subparagraph division (a),
35 may be issued a citation under [this section](#) and shall not be

1 issued a citation under [section 321.193](#). A violation of the
2 restrictions imposed under paragraph "a", subparagraph (2),
3 subparagraph division (a), shall not be considered a moving
4 violation.

5 Sec. 4. Section 321.180B, unnumbered paragraph 1, Code
6 2024, is amended to read as follows:

7 Persons under age eighteen shall not be issued a license or
8 permit to operate a motor vehicle except under the provisions
9 of [this section](#). However, the department may issue restricted
10 work and special driver's minor's restricted licenses to
11 certain minors as provided in [sections 321.178](#) and [321.194](#), and
12 driver's licenses restricted to motorized bicycles as provided
13 in [section 321.189](#). A person shall not be issued a license or
14 permit to operate a motor vehicle if prohibited under section
15 321.194, subsection 7. A license or permit shall not be issued
16 under [this section](#) or [section 321.178](#) or [321.194](#) without the
17 consent of a parent or guardian or a person having custody of
18 the applicant under [chapter 232](#) or [600A](#). An additional consent
19 is required each time a license or permit is issued under this
20 section or [section 321.178](#) or [321.194](#). The consent must be
21 signed by at least one parent, guardian, or custodian on an
22 affidavit form provided by the department.

23 Sec. 5. Section 321.191, subsection 6, Code 2024, is amended
24 to read as follows:

25 6. ~~*Special minors'*~~ *Minors' restricted licenses.*

26 Notwithstanding [subsection 2](#), the fee for a ~~driver's~~ special
27 minor's restricted license issued to a minor under section
28 321.194 or a restricted work license issued to a minor under
29 section 321.178, subsection 2, is eight dollars.

30 Sec. 6. Section 321.194, Code 2024, is amended by striking
31 the section and inserting in lieu thereof the following:

32 **321.194 Special minor's restricted license.**

33 1. *Application — persons eligible.* The department may
34 issue a special minor's restricted license to an applicant
35 under the age of sixteen if the applicant meets all of the

1 following conditions:

2 *a.* The applicant holds an instruction permit issued by the
3 department in accordance with section 321.180B, or a comparable
4 permit issued by another state.

5 *b.* The applicant has successfully completed an approved
6 driver education course. However, the completion of a
7 course is not required if the applicant demonstrates to the
8 satisfaction of the department that completion of the course
9 would impose a hardship upon the applicant. The department
10 shall adopt rules defining the term "*hardship*" and establishing
11 procedures for the demonstration and determination of when
12 completion of the course would impose a hardship upon an
13 applicant.

14 *c.* The applicant submits a certification from the
15 applicant's school certifying the applicant is enrolled at
16 the school for courses of instruction or extracurricular
17 activities, or from the applicant's primary instructor if the
18 applicant receives competent private instruction or independent
19 private instruction.

20 2. *Consent — employment.* Prior to being authorized to
21 operate a motor vehicle unsupervised to a place of employment
22 or a location for farm-related work while employed to work on a
23 farm, the applicant's parent or guardian must submit written
24 consent for the applicant to operate a motor vehicle for such
25 purposes. The written consent must include the name and
26 address of the applicant's place of employment, or primary farm
27 location, as applicable. The parent or guardian of a licensee
28 must update the place of employment information if the place
29 of employment changes prior to the licensee being authorized
30 to operate a motor vehicle unsupervised to a new place of
31 employment.

32 3. *Persons ineligible.* The department shall not issue a
33 special minor's restricted license to an applicant if any of
34 the following occurred during the six-month period immediately
35 preceding the application:

1 a. The applicant's driving privileges have been suspended,
2 revoked, or barred under this chapter or chapter 321J.

3 b. The applicant was at fault for causing an accident or
4 collision.

5 c. The applicant has been convicted of a violation of a
6 law of this state or a city ordinance regulating the operation
7 of motor vehicles on highways other than parking violations as
8 described in section 321.210.

9 4. *License privileges.*

10 a. The department shall classify the special minor's
11 restricted license as a class C or class M license, as
12 applicable. A licensee is entitled to operate a motor vehicle
13 as provided in this section, other than a commercial motor
14 vehicle, a motor vehicle with more than two axles, a motor
15 vehicle towing another vehicle, or as a chauffeur.

16 b. A licensee may operate a motor vehicle unsupervised over
17 the most direct and accessible route between the licensee's
18 residence, school of enrollment, location where the licensee
19 receives competent private instruction or independent private
20 instruction, place of employment, location for farm work or
21 farm-related work if the licensee resides on a farm or is
22 employed for compensation on a farm in this state, and the
23 closest service station, for any of the following purposes, as
24 applicable, provided the driving distance between the point of
25 origin and the destination is no more than twenty-five miles,
26 and the licensee is in immediate possession of the license
27 card:

28 (1) To return to the licensee's residence following the
29 end of the licensee's duly scheduled courses of instruction,
30 extracurricular activities, work shift, farm work, or
31 farm-related work, as applicable.

32 (2) To attend duly scheduled courses of instruction.
33 However, a licensee who attends a public school and resides
34 within that public school district may operate a motor vehicle
35 between the licensee's residence and school regardless of the

1 distance.

2 (3) To participate in extracurricular activities. If
3 the licensee receives independent private instruction and
4 participates in an extracurricular activity at another school,
5 the licensee may drive to the location of the extracurricular
6 activity regardless of whether the licensee is enrolled at the
7 school.

8 (4) To complete a scheduled work shift, if approved by the
9 licensee's parent or guardian pursuant to subsection 2.

10 (5) For the purpose of assisting the licensee's parents,
11 guardians, or employer with farm work or in connection with any
12 farm job, employment, or other farm-related work, including
13 traveling to or from the location of the farm work, if the
14 licensee resides on a farm or is employed for compensation on
15 a farm in this state. If employed, the licensee's parent or
16 guardian must provide consent pursuant to subsection 2.

17 (6) For the purpose of refueling the motor vehicle being
18 operated.

19 5. *Restrictions.* Unless accompanied and supervised in
20 accordance with section 321.180B, subsection 1, a licensee
21 shall not do any of the following:

22 a. Operate the motor vehicle except during the hour
23 before and after the beginning and end of the licensee's duly
24 scheduled courses of instruction, extracurricular activities,
25 work shift, farm work, or farm-related work, as applicable.

26 b. Transport more than one unrelated minor passenger in the
27 motor vehicle when the licensee is operating the motor vehicle.
28 For purposes of this paragraph, "*unrelated minor passenger*"
29 means a passenger who is under eighteen years of age and who is
30 not a sibling of the driver, a stepsibling of the driver, or a
31 child who resides in the same household as the driver.

32 c. Operate the motor vehicle on a highway except as
33 authorized under subsection 4, paragraph "b".

34 d. Use an electronic communication device or an electronic
35 entertainment device while operating a motor vehicle unless the

1 motor vehicle is at a complete stop off the traveled portion
2 of the roadway. This paragraph does not apply to the use
3 of electronic equipment which is permanently installed in
4 the motor vehicle or to a portable device which is operated
5 through permanently installed equipment. The department,
6 in cooperation with the department of public safety, shall
7 establish educational programs to foster compliance with the
8 requirements of this paragraph.

9 e. Operate a motor vehicle to the licensee's place of
10 employment or location for farm work or farm-related work
11 unless the licensee's parent or guardian submitted written
12 consent to the department in accordance with subsection 2.

13 6. *Certification.* The department shall prescribe a
14 certification form. If the applicant is enrolled at a school
15 for courses of instruction or extracurricular activities, the
16 applicant's school shall certify that fact on the certification
17 form, which must also include a statement that the person
18 signing the certificate is not responsible for actions of the
19 applicant which pertain to the use of the special minor's
20 restricted license.

21 a. If the applicant attends a public school, the
22 certification must be made by the school board, superintendent
23 of the applicant's school, or principal, if authorized by the
24 superintendent.

25 b. If the applicant attends an accredited nonpublic
26 school, the certification must be made by the authorities in
27 charge of the accredited nonpublic school or a duly authorized
28 representative of the authorities.

29 c. If the applicant receives competent private instruction,
30 the certification must be made by the applicant's primary
31 instructor.

32 7. *License sanctions.*

33 a. A special minor's restricted license issued under this
34 section is subject to suspension, revocation, or other sanction
35 for the same reasons and in the same manner as suspension or

1 revocation of any other driver's license, and as provided in
2 this section. The department shall suspend a special minor's
3 restricted license for three months, as follows:

4 (1) Upon receiving satisfactory evidence that the licensee
5 violated the restrictions of the license or was at fault in an
6 accident or collision.

7 (2) Upon receiving a record of the licensee's conviction
8 for one violation of a law of this state or a city ordinance
9 regulating the operation of motor vehicles on highways other
10 than parking violations as described in section 321.210.

11 b. As a result of the suspension, the department shall
12 not issue an intermediate license under section 321.180B for
13 an additional three months to a person whose special minor's
14 restricted license was suspended under this subsection, per
15 violation, following the person's sixteenth birthday.

16 8. *Citations for violation of restrictions.* A person who
17 violates the restrictions imposed under subsection 5 may
18 be issued a citation under this section and shall not be
19 issued a citation under section 321.193. A violation of the
20 restrictions imposed under subsection 5 is a moving violation.

21 9. *Definitions.* As used in this section:

22 a. "*Competent private instruction*" means as defined in
23 section 299A.1.

24 b. "*Farm-related work*" means work at a property suitable for
25 farming that is owned, leased, or operated by the licensee's
26 parents, guardians, or employer.

27 c. "*Independent private instruction*" means as defined in
28 section 299A.1.

29 d. "*Place of employment*" means the fixed location of an
30 employer who employs a person under sixteen years of age in
31 accordance with chapter 92, and is the only location at which
32 the person is authorized to work for the employer unless the
33 person is employed for purposes of farm work or farm-related
34 work.

35 e. "*Residence*" means the place where a person resides,

1 permanently or temporarily. A person may have up to three
2 different residences for purposes of this section, if the
3 person's parent or guardian provides written consent of the
4 additional residences to the department.

5 *f.* "School" means a public school or an accredited nonpublic
6 school, and includes facilities operated by a public or
7 accredited nonpublic school for the purposes of educational or
8 extracurricular activities.

9 10. *Rules.* The department may adopt rules pursuant to
10 chapter 17A to administer this section.

11 Sec. 7. Section 321.213B, Code 2024, is amended to read as
12 follows:

13 **321.213B Suspension for failure to attend.**

14 The department shall establish procedures by rule for
15 suspending the license of a juvenile who has been issued a
16 driver's license and is not in compliance with the requirements
17 of [section 299.1B](#) ~~or~~ and issuing the juvenile a restricted work
18 license under [section 321.178](#).

19 Sec. 8. Section 321.482A, unnumbered paragraph 1, Code
20 2024, is amended to read as follows:

21 Notwithstanding [section 321.482](#), a person who is convicted
22 of operating a motor vehicle in violation of section 321.178,
23 subsection 2, paragraph "a", subparagraph (2), section
24 321.180B, subsection 6, section 321.194, subsection ~~2~~ 5,
25 paragraph ~~"b"~~ "d", ~~subparagraph (2)~~, [section 321.256](#), [321.257](#),
26 section 321.275, subsection 4, [section 321.276](#), [321.297](#),
27 [321.298](#), [321.299](#), [321.302](#), [321.303](#), [321.304](#), [321.305](#), [321.306](#),
28 [321.307](#), [321.311](#), [321.319](#), [321.320](#), [321.321](#), [321.322](#), [321.323](#),
29 [321.324](#), [321.324A](#), [321.327](#), [321.329](#), [321.333](#), section 321.372,
30 subsection 3, or [section 321.449B](#), causing serious injury to
31 or the death of another person may be subject to the following
32 penalties in addition to the penalty provided for a scheduled
33 violation in [section 805.8A](#) or any other penalty provided by
34 law:

35 Sec. 9. PREVIOUSLY ISSUED SPECIAL MINOR'S LICENSES. A

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1 person who holds a special minor's license that was issued
2 under section 321.194, Code 2024, before the effective date of
3 this Act may continue to operate a motor vehicle in accordance
4 with this Act on and after the effective date of this Act.
5 However, a person who was issued a special minor's license
6 under section 321.194, Code 2024, prior to the effective date
7 of this Act shall not operate a motor vehicle unaccompanied
8 to the person's place of employment until after the person's
9 parent or guardian provides written consent to the department
10 in accordance with section 321.194, subsection 2, as enacted
11 by this Act.>

SIEGRIST of Pottawattamie