

In Transmittal 4/5/83
HOUSE FILE 587 *Do Pass 4/7*
(p. 1150)
Transportation
Nystrom, Chair
Welsh
Doyle

MAY 24 1983

Place On Calendar

HOUSE FILE 587

BY COMMITTEE ON TRANSPORTATION

(Formerly House File 121)

Passed House, Date 4-5-83 (p. 1063) Passed Senate, Date 4-13-83 (p. 1234)
Vote: Ayes 90 Nays 8 Vote: Ayes 39 Nays 6
Approved April 26, 1983 (p. 1571)

A BILL FOR

1 An Act relating to motor vehicle licenses by allowing use of
2 minors' school licenses for travel between schools of
3 enrollment, by exempting certain prior holders of minors'
4 school licenses from being required to take a motorcycle
5 education course before being issued operators' licenses,
6 and by exempting certain prior holders of one-year
7 probationary operators' licenses from being required to
8 take approved driver education courses before being
9 issued operators' licenses and providing the bill is
10 effective upon publication.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

12
121st Day TUESDAY, MAY 10, 1983 2007

H-3451

1 Amend f COMMUNICATION FROM SECRETARY OF STATE

2 1. By May 9, 1983

3 line 4.

4 2. Amc Mr. Joseph O'Hern

5 9 and inse Chief Clerk

6 "enrollmer. House of Representatives

7 3. Rer LOCAL

H-3451 FILE Dear Mr. O'Hern:

4/5 4/5/83 (3)

I further certify that House File 587 was published in The Sun, Mount Vernon, Iowa on May 5, 1983 and The North Scott Press, Eldridge, Iowa on May 5, 1983.

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Respectfully submitted,
MARY JANE ODELL
Secretary of State

HF 587

1 Section 1. Section 321.194, Code 1983, is amended to read
2 as follows:

3 321.194 MINORS' SCHOOL LICENSES. Upon certification of
4 a special need by the school board or the superintendent of
5 the applicant's school, the department may issue a restricted
6 license to ~~any~~ a person between the ages of fourteen and
7 eighteen years ~~which~~. The license shall entitle the holder,
8 while having the license in ~~his-ex-his~~ immediate possession,
9 to operate a motor vehicle during the hours of 6 a.m. to 9
10 p.m. over the most direct and accessible route between the
11 licensee's residence and ~~school~~ schools of enrollment and
12 between schools of enrollment for the purpose of attending
13 duly scheduled courses of instruction and extracurricular
14 activities at ~~such-school~~ the schools or at any time when
15 accompanied by a parent or guardian, driver education
16 instructor, or prospective driver education instructor who
17 is a holder of a valid operator's or chauffeur's license,
18 and who is actually occupying a seat beside the driver. The
19 license shall expire on the licensee's eighteenth birthday
20 or upon issuance of a probationary operator's license or
21 operator's license.

22 PARAGRAPH DIVIDED. Each application shall be accompanied
23 by a statement from the school board or superintendent of
24 the applicant's school. The statement shall be upon a form
25 provided by the department. The school board or superintendent
26 shall certify that a need exists for the license and that
27 ~~they~~ the board and superintendent are not responsible for
28 ~~any~~ actions of the applicant ~~as-it-pertains~~ which pertain
29 to the use of the restricted license. The department of
30 public instruction shall adopt rules pursuant to chapter 17A
31 establishing criteria for issuing a statement of necessity.
32 Upon receipt of a statement of necessity, the department shall
33 issue a restricted license. The fact that the applicant
34 resides at a distance less than one mile from ~~his-ex-his~~
35 ~~school~~ the applicant's schools of enrollment is prima-facie

1 evidence of the nonexistence of necessity for the issuance
2 of such a license.

3 PARAGRAPH DIVIDED. A license issued under this section
4 is subject to suspension or revocation in like manner as any
5 other license or permit issued under any a law of this state
6 ~~and the.~~ The department may also suspend such a license upon
7 receiving satisfactory evidence that the licensee has violated
8 the restrictions of the license or has been involved in one
9 or more accidents chargeable to the licensee. The department
10 may suspend any a license issued under this section upon
11 receiving a record of the licensee's conviction for one
12 violation and shall revoke the license upon receiving a record
13 of conviction for two or more violations of any a law of this
14 state or city ordinance, other than parking regulations,
15 regulating the operation of motor vehicles on highways and
16 ~~after.~~ After revoking a license under this section the
17 department shall not grant application for any a new license
18 or permit until the expiration of one year or until the
19 ~~licensee-attains-his-or-her~~ licensee's sixteenth birthday
20 whichever is the longer period.

21 Sec. 2. A person who possessed prior to January 1, 1982,
22 a minor's school license under section 321.194 valid for the
23 operation of a motorcycle, shall not be required to
24 successfully complete a motorcycle education course when
25 applying for a motor vehicle license valid for the operation
26 of a motorcycle under section 321.189, subsection 1. However
27 this section does not apply to persons who have had their
28 minors' school licenses suspended or revoked due to motor
29 vehicle violations.

30 Sec. 3. Notwithstanding section 321.177, subsection 1,
31 a person who possessed prior to July 1, 1982, a one-year
32 probationary operator's license under section 321.178,
33 subsection 2, shall not be required to complete an approved
34 driver education course when applying for an operator's license
35 under section 321.189, subsection 1, and the minimum age of

1 the applicant shall be sixteen years. However this section
2 does not apply to a person who has had the person's one-year
3 probationary operator's license revoked, suspended, or canceled
4 due to moving traffic violations.

5 Sec. 4. This Act, being deemed of immediate importance,
6 takes effect from and after its publication in The Sun, a
7 newspaper published in Mount Vernon, Iowa, and in The North
8 Scott Press, a newspaper published in Eldridge, Iowa.

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EXPLANATION

10 This bill allows the use of a minor's school license for
11 travel by the student between schools of enrollment. Currently
12 the use of the license is restricted to travel between the
13 licensee's residence and the school of enrollment. School
14 districts now are allowed to share the facilities and personnel
15 of other school districts in providing additional education
16 opportunities to their students. This bill would allow
17 students who possess minors' school licenses to travel to
18 other school districts for the purposes of attending courses
19 of instruction. The licensee is required to travel the most
20 direct and accessible route between the school districts and
21 all other requirements which currently pertain to minors'
22 school licenses still apply.

23 This bill also provides that a person who possessed a
24 minor's school license for the operation of a motorcycle prior
25 to January 1, 1982, is exempt from completing a motorcycle
26 education course prior to being issued an operator's license
27 for a motorcycle. Similarly, the bill provides that a per-
28 son who possessed a one-year probationary operator's license
29 prior to July 1, 1982, is not required to complete a driver's
30 education course when applying for an operator's license and
31 the minimum age of an operator's license for such person is
32 sixteen years. However, the bill does not apply to those
33 prior holders of licenses who have had their licenses
34 suspended, revoked, or canceled. The bill takes effect upon
35 its publication.

LSB 1624H 70

gk/jw/5

HOUSE FILE 587

AN ACT

RELATING TO MOTOR VEHICLE LICENSES BY ALLOWING USE OF MINORS' SCHOOL LICENSES FOR TRAVEL BETWEEN SCHOOLS OF ENROLLMENT, BY EXEMPTING CERTAIN PRIOR HOLDERS OF MINORS' SCHOOL LICENSES FROM BEING REQUIRED TO TAKE A MOTORCYCLE EDUCATION COURSE BEFORE BEING ISSUED OPERATORS' LICENSES, AND BY EXEMPTING CERTAIN PRIOR HOLDERS OF ONE-YEAR PROBATIONARY OPERATORS' LICENSES FROM BEING REQUIRED TO TAKE APPROVED DRIVER EDUCATION COURSES BEFORE BEING ISSUED OPERATORS' LICENSES AND PROVIDING THE BILL IS EFFECTIVE UPON PUBLICATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.194, Code 1993, is amended to read as follows:

321.194 MINORS' SCHOOL LICENSES. Upon certification of a special need by the school board or the superintendent of

the applicant's school, the department may issue a restricted license to ~~any~~ a person between the ages of fourteen and eighteen years ~~which~~. ~~The~~ license shall entitle the holder, while having the license in ~~his-or-her~~ immediate possession, to operate a motor vehicle during the hours of 6 a.m. to 9 p.m. over the most direct and accessible route between the licensee's residence and ~~school~~ schools of enrollment ~~and~~ between schools of enrollment for the purpose of attending duly scheduled courses of instruction and extracurricular activities at ~~each-school~~ the schools or at any time when accompanied by a parent or guardian, driver education instructor, or prospective driver education instructor who is a holder of a valid operator's or chauffeur's license, and who is actually occupying a seat beside the driver. The license shall expire on the licensee's eighteenth birthday or upon issuance of a probationary operator's license or operator's license.

PARAGRAPH DIVIDED. Each application shall be accompanied by a statement from the school board or superintendent of the applicant's school. The statement shall be upon a form provided by the department. The school board or superintendent shall certify that a need exists for the license and that they the board and superintendent are not responsible for any actions of the applicant as-it-pertains which pertain to the use of the restricted license. The department of public instruction shall adopt rules pursuant to chapter 17A establishing criteria for issuing a statement of necessity. Upon receipt of a statement of necessity, the department shall issue a restricted license. The fact that the applicant resides at a distance less than one mile from ~~his-or-her~~ ~~school~~ the applicant's schools of enrollment is prima-facie evidence of the nonexistence of necessity for the issuance of ~~such~~ a license.

PARAGRAPH DIVIDED. A license issued under this section is subject to suspension or revocation in like manner as any other license or permit issued under any a law of this state ~~and the.~~ The department may also suspend ~~such~~ a license upon receiving satisfactory evidence that the licensee has violated the restrictions of the license or has been involved in one or more accidents chargeable to the licensee. The department may suspend ~~any~~ a license issued under this section upon receiving a record of the licensee's conviction for one violation and shall revoke the license upon receiving a record of conviction for two or more violations of any a law of this state or city ordinance, other than parking regulations, regulating the operation of motor vehicles on highways ~~and after.~~ After revoking a license under this section the department shall not grant application for any a new license or permit until the expiration of one year or until the ~~licensee attains his or her~~ licensee's sixteenth birthday whichever is the longer period.

Sec. 2. A person who possessed prior to January 1, 1982, a minor's school license under section 321.194 valid for the operation of a motorcycle, shall not be required to successfully complete a motorcycle education course when applying for a motor vehicle license valid for the operation of a motorcycle under section 321.189, subsection 1. However this section does not apply to persons who have had their minors' school licenses suspended or revoked due to motor vehicle violations.

Sec. 3. Notwithstanding section 321.177, subsection 1, a person who possessed prior to July 1, 1982, a one-year probationary operator's license under section 321.178, subsection 2, shall not be required to complete an approved driver education course when applying for an operator's license under section 321.189, subsection 1, and the minimum age of the applicant shall be sixteen years. However this section

does not apply to a person who has had the person's one-year probationary operator's license revoked, suspended, or canceled due to moving traffic violations.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in The Sun, a newspaper published in Mount Vernon, Iowa, and in The North Scott Press, a newspaper published in Eldridge, Iowa.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 587, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved _____, 1983

TERRY E. BRANSTAD
Governor