

See House Bill Amend (3382) v. to Pass 4/10/91 (p. 1790)

FEB 20 1991

Place On Calendar

HOUSE FILE 297
BY COMMITTEE ON TRANSPORTATION
(SUCCESSOR TO HF 175)

Passed House, Date 2/28/91 (p. 490) Passed Senate, Date 4/17/91 (p. 1307)

Vote: Ayes 92 Nays 2 Vote: Ayes 48 Nays 0

Approved May 7, 1991 (p. 2192)

Approved Senate as amended by House
4/23/91 (p. 1457)

95-0

A BILL FOR

Motion to reconsider (p. 1471)
5/15 4/24/91

S-31101 An Act relating to driver's license reciprocity for minors.

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

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HF 297

S-3110

1 Section 1. Section 321.178, Code 1991, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 3. DRIVER'S LICENSE RECIPROCITY.

30874 a. The department may issue a class C or M driver's
5 license to a person who is sixteen or seventeen years of age
6 and who is a current resident of the state, but who has been
7 driving as a resident of another state for at least one year
8 prior to residency within the state.

9 b. The following criteria must be met prior to issuance of
10 a driver's license pursuant to this subsection:

11 (1) The minor must reside with a parent or guardian.

12 (2) The minor must have driven under a valid driver's
13 license for at least one year in the prior state of residence.
14 Six months of the one year computation may include driving
15 with an instruction permit.

16 (3) The minor must have had no moving traffic violations
17 on the minor's driving record.

30918 (4) The minor must pass the written and driving skills
19 tests as required by the department, but is not required to
20 have taken a driver's education class.

3105

21 EXPLANATION

22 This bill allows a minor moving into the state to be issued
23 an Iowa driver's license if the minor has been driving under a
24 valid driver's license or permit issued by the prior state of
25 residency for at least one year. The minor must reside with a
26 parent or guardian, must pass a written and driving skills
27 test, and must have a driving record free of moving
28 violations. This bill allows a minor to receive an Iowa
29 driver's license without taking a driver's education course.

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HOUSE FILE 297

H-3087

1 Amend House File 297 as follows:

2 1. Page 1, by striking lines 8 and 9 and
3 inserting the following: "prior to residency within
4 the state, if the person completed a driver's
5 education class in the person's former state of
6 residence. However, the minor person must still pass
7 the written and driving skills tests as required by
8 the department.

9 b. If the person did not complete a driver's
10 education class in the person's former state of
11 residence, the following criteria must be met prior to
12 issuance of".

13 2. Page 1, by striking lines 19 and 20 and
14 inserting the following: "tests as required by the
15 department."

By GRUHN of Dickinson

H-3087 FILED FEBRUARY 26, 1991

w/28 2/28

HOUSE FILE 297

H-3105

1 Amend House File 297 as follows:

2 1. Page 1, by inserting after line 20, the
3 following:

4 "Sec. ____ . Section 321.194, subsection 1,
5 paragraph b, subparagraph (2), Code 1991, is amended
6 to read as follows:

7 (2) A district which is contiguous to the district
8 of residence of the parent or guardian of the student,
9 if the student is enrolled in the public school which
10 is not the school district of residence because of
11 open enrollment under section 282.18 or if the student
12 is enrolled in the school district of residence but
13 attends school in the contiguous district as a the
14 result of an election by the student's district of
15 residence to enter into one or more sharing agreements
16 pursuant to the procedures in chapter 282."

17 2. By renumbering as necessary.

By GARMAN of Story

MAULSBY of Calhoun

BRANSTAD of Winnebago

BARTZ of Worth

IVERSON of Wright

McKEAN of Jones

H-3105 FILED FEBRUARY 27, 1991

Ruled not germane 2/28

SENATE AMENDMENT TO HOUSE FILE 297

H-3743

- 1 Amend House File 297, as passed by the House, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 321.178, subsection 2,
6 paragraph a, Code 1991, is amended to read as follows:
7 a. Any person between sixteen and eighteen years
8 of age who is not in attendance at school or who is in
9 attendance in a public or private school where an
10 approved driver's education course is not offered or
11 available, may be issued a restricted license only for
12 travel to and from work or to transport dependents to
13 and from temporary care facilities, if necessary for
14 the person to maintain the person's present employment
15 without having completed an approved driver's
16 education course. The restricted license shall be
17 issued by the department only upon confirmation of the
18 person's employment and need for a restricted license
19 to travel to and from work or to transport dependents
20 of temporary care facilities if necessary to maintain
21 the person's employment and upon receipt of a written
22 statement from the public or private school that an
23 approved course in driver's education was not offered
24 or available to the person, if applicable. The
25 employer shall notify the department if the employment
26 of the person is terminated before the person attains
27 the age of eighteen. The person shall not have a
28 restricted license revoked or suspended upon re-
29 entering school prior to age eighteen provided the
30 student enrolls in and completes the classroom portion
31 of an approved driver's education course as soon as a
32 course is available."
33 2. Title page, line 1, by inserting after the
34 word "to" the following: "minor's restricted licenses
35 and".
36 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-3743 FILED APRIL 19, 1991

House concurred 4/23/91 (p. 1451)

HOUSE FILE 297

S-3382

1 Amend House File 297, as passed by the House, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 321.178, subsection 2,
6 paragraph a, Code 1991, is amended to read as follows:

7 a. Any person between sixteen and eighteen years
8 of age who is not in attendance at school or who is in
9 attendance in a public or private school where an
10 approved driver's education course is not offered or
11 available, may be issued a restricted license only for
12 travel to and from work or to transport dependents to
13 and from temporary care facilities, if necessary for
14 the person to maintain the person's present employment
15 without having completed an approved driver's
16 education course. The restricted license shall be
17 issued by the department only upon confirmation of the
18 person's employment and need for a restricted license
19 to travel to and from work or to transport dependents
20 of temporary care facilities if necessary to maintain
21 the person's employment and upon receipt of a written
22 statement from the public or private school that an
23 approved course in driver's education was not offered
24 or available to the person, if applicable. The
25 employer shall notify the department if the employment
26 of the person is terminated before the person attains
27 the age of eighteen. The person shall not have a
28 restricted license revoked or suspended upon re-
29 entering school prior to age eighteen provided the
30 student enrolls in and completes the classroom portion
31 of an approved driver's education course as soon as a
32 course is available."

33 2. Title page, line 1, by inserting after the
34 word "to" the following: "minor's restricted licenses
35 and".

36 3. By renumbering as necessary.

By COMMITTEE ON TRANSPORTATION
EUGENE FRAISE, Chairperson

S-3382 FILED APRIL 10, 1991

Adopted 4/17/91 (p.1307)

S-3110

1 Amend House File 297, as passed by the House, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 321.178, subsection 2,
6 paragraph a, Code 1991, is amended to read as follows:
7 a. Any person between sixteen and eighteen years
8 of age who is not in attendance at school or who is in
9 attendance in a public or private school where an
10 approved driver's education course is not offered or
11 available, may be issued a restricted license only for
12 travel to and from work or to transport dependents to
13 and from temporary care facilities, if necessary for
14 the person to maintain the person's present employment
15 without having completed an approved driver's
16 education course. The restricted license shall be
17 issued by the department only upon confirmation of the
18 person's employment and need for a restricted license
19 to travel to and from work or to transport dependents
20 of temporary care facilities if necessary to maintain
21 the person's employment and upon receipt of a written
22 statement from the public or private school that an
23 approved course in driver's education was not offered
24 or available to the person, if applicable. The
25 employer shall notify the department if the employment
26 of the person is terminated before the person attains
27 the age of eighteen. The person shall not have a
28 restricted license revoked or suspended upon re-
29 entering school prior to age eighteen provided the
30 student enrolls in and completes the classroom portion
31 of an approved driver's education course as soon as a
32 course is available."

33 2. Title page, line 1, by inserting after the
34 word "to" the following: "minor's restricted licenses
35 and".

By MIKE CONNOLLY

S-3110 FILED MARCH 13, 1991

Placed o/o 4/17 (p. 1361)

HOUSE FILE 297

AN ACT

RELATING TO MINOR'S RESTRICTED LICENSES AND DRIVER'S LICENSE
RECIPROcity FOR MINORS.

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

Section 1. Section 321.178, subsection 2, paragraph a, Code 1991, is amended to read as follows:

a. Any person between sixteen and eighteen years of age who is not in attendance at school or who is in attendance in a public or private school where an approved driver's education course is not offered or available, may be issued a restricted license only for travel to and from work or to transport dependents to and from temporary care facilities, if

necessary for the person to maintain the person's present employment without having completed an approved driver's education course. The restricted license shall be issued by the department only upon confirmation of the person's employment and need for a restricted license to travel to and from work or to transport dependents of temporary care facilities if necessary to maintain the person's employment, and upon receipt of a written statement from the public or private school that an approved course in driver's education was not offered or available to the person, if applicable. The employer shall notify the department if the employment of the person is terminated before the person attains the age of eighteen. The person shall not have a restricted license revoked or suspended upon re-entering school prior to age eighteen provided the student enrolls in and completes the classroom portion of an approved driver's education course as soon as a course is available.

Sec. 2. Section 321.178, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 3. DRIVER'S LICENSE RECIPROcity.

a. The department may issue a class C or M driver's license to a person who is sixteen or seventeen years of age and who is a current resident of the state, but who has been driving as a resident of another state for at least one year prior to residency within the state.

b. The following criteria must be met prior to issuance of a driver's license pursuant to this subsection:

(1) The minor must reside with a parent or guardian.

(2) The minor must have driven under a valid driver's license for at least one year in the prior state of residence. Six months of the one year computation may include driving with an instruction permit.

(3) The minor must have had no moving traffic violations on the minor's driving record.

(4) The minor must pass the written and driving skills tests as required by the department, but is not required to have taken a driver's education class.

ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 297, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 7, 1991

TERRY E. BRANSTAD
Governor