

JAN 9 1995
TRANSPORTATION

HOUSE FILE 11
BY DINKLA

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

- 1 An Act relating to special minor's licenses.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section 321.194, subsection 1, paragraph a,
2 Code 1995, is amended by adding the following new subparagraph
3 after subparagraph (1) and renumbering the succeeding
4 subparagraph:

5 NEW SUBPARAGRAPH. (2) During the hours of 6 a.m. to 10
6 p.m. over the most direct and accessible route between the
7 licensee's residence and the school with which the licensee's
8 school of enrollment is participating in a chapter 28E
9 agreement to share courses and extracurricular activities and
10 between the licensee's school of enrollment and the
11 participating school for the purpose of attending courses of
12 instruction and extracurricular activities.

13 Sec. 2. Section 321.194, subsection 1, paragraph b, Code
14 1995, is amended to read as follows:

15 b. Each application shall be accompanied by a statement
16 from the school board or superintendent of the applicant's
17 school. The statement shall be upon a form provided by the
18 department. The school board or superintendent shall certify
19 that a need exists for the license and that the board and
20 superintendent are not responsible for actions of the
21 applicant which pertain to the use of the driver's license.
22 The department of education shall adopt rules establishing
23 criteria for issuing a statement of necessity. Upon receipt
24 of a statement of necessity, the department shall issue the
25 driver's license. The fact that the applicant resides at a
26 distance less than one mile from the applicant's schools of
27 enrollment is prima facie evidence of the nonexistence of
28 necessity for the issuance of a license. The driver's license
29 shall not be issued for purposes of attending a public school
30 in a school district other than ~~either-of~~ the following:

31 (1) The district of residence of the parent or guardian of
32 the student.

33 (2) A district which is contiguous to the district of
34 residence of the parent or guardian of the student, if the
35 student is enrolled in the public school which is not the

1 school district of residence because of open enrollment under
2 section 282.18 or as a result of an election by the student's
3 district of residence to enter into one or more sharing
4 agreements pursuant to the procedures in chapter 282.

5 (3) A district which shares courses and extracurricular
6 activities with the licensee's school of enrollment pursuant
7 to a chapter 28E agreement.

8 EXPLANATION

9 This bill allows a minor to be issued a special minor's
10 license for travel from the minor's residence or the minor's
11 school of enrollment to a school which shares courses and
12 extracurricular activities with the minor's school of
13 enrollment pursuant to a chapter 28E agreement. A minor who
14 has been issued a special minor's license is limited to travel
15 between the hours of 6:00 a.m. and 10:00 p.m. over the most
16 direct and accessible route between the licensee's residence
17 and the school or between the schools.

18 Chapter 28E authorizes a public agency to act jointly with
19 another public agency.

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