

FILED FEB 26 1997

SENATE FILE 213
BY LIND

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

A BILL FOR

1 An Act prohibiting payment of driver education charges by the
2 department of human services and eliminating a requirement
3 that public school districts offer or make available an
4 approved driver education course.

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

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S.F. 213

1 Section 1. Section 239.5, Code 1997, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 2A. In providing additional assistance on
4 the basis of a demonstrated special need, the department shall
5 not pay for driver education charges.

6 Sec. 2. Section 321.178, subsection 1, unnumbered
7 paragraphs 2, 3, and 5, Code 1997, are amended to read as
8 follows:

9 After the student person has completed three clock hours of
10 street or highway driving and has demonstrated to the
11 instructor an ability to properly operate a motor vehicle and
12 upon written request of a parent or guardian, the instructor
13 may waive the remaining required laboratory instruction.

14 ~~Every public school district in Iowa shall offer or make~~
15 ~~available to all students residing in the school district or~~
16 ~~Iowa students attending a nonpublic school in the district an~~
17 ~~approved course in driver education. The courses may be~~
18 ~~offered at sites other than at the public school, including~~
19 ~~nonpublic school facilities within the public school~~
20 ~~districts. An approved course offered during the summer~~
21 ~~months, on Saturdays, after regular school hours during the~~
22 ~~regular terms or partly in one term or summer vacation period~~
23 ~~and partly in the succeeding term or summer vacation period,~~
24 ~~as the case may be, shall satisfy the requirements of this~~
25 ~~section to the same extent as an approved course offered~~
26 ~~during the regular school hours of the school term. A student~~
27 person who successfully completes and obtains certification in
28 an approved course in driver education or an approved course
29 in motorcycle education may, upon proof of such fact, be
30 excused from any field test which the student person would
31 otherwise be required to take in demonstrating the student's
32 person's ability to operate a motor vehicle.

33 Any person who successfully completes an approved driver
34 education course at a private or commercial driver education
35 school licensed by the department, shall likewise be eligible

1 for a driver's license at the age of sixteen years, providing
2 the instructor in charge of the ~~student's~~ person's training
3 has satisfied the educational requirements for a teaching
4 certificate at the secondary level and holds a valid
5 certificate to teach driver education in the public schools of
6 Iowa.

7 Sec. 3. Section 321.178, subsection 1, unnumbered
8 paragraph 4, Code 1997, is amended by striking the unnumbered
9 paragraph.

10 Sec. 4. Section 321.178, subsection 2, paragraph a, Code
11 1997, is amended to read as follows:

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

1 course is available.

2 Sec. 5. Section 321.178, subsection 3, paragraph b,
3 subparagraph (4), Code 1997, is amended to read as follows:

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

7 EXPLANATION

8 This bill relates to special need payments under the family
9 investment program (formerly known as aid to families with
10 dependent children program) administered by the department of
11 human services. The department's administrative rules (441
12 IAC 41.28 (3)) currently authorize payment for demonstrated
13 special needs, in addition to basic needs. The bill prohibits
14 payment for driver education charges under the special need
15 provisions.

16 The bill also eliminates the requirement that public school
17 districts offer or make available to public and nonpublic
18 school students an approved driver education course.

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