

FEB 7 2000
TRANSPORTATION

HOUSE FILE 2171
BY HUSER

(COMPANION TO LSB 6202SS
BY LAMBERTI)

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

A BILL FOR

1 An Act relating to minors' school driver's licenses.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2171

1 Section 1. Section 321.194, subsection 1, unnumbered
2 paragraph 1, Code 1999, is amended to read as follows:

3 Upon certification of a special need by the authorities in
4 charge of the nonpublic school or the school board,
5 superintendent of the applicant's school, or principal, if
6 authorized by the superintendent, the department may issue a
7 class C or M driver's license to a person between the ages of
8 fourteen and eighteen years whose driving privileges have not
9 been suspended, revoked, or barred under this chapter or
10 chapter 321J during, and who has not been convicted of a
11 moving traffic violation or involved in a motor vehicle
12 accident for, the six-month period immediately preceding the
13 application for the special minor's license and who has
14 successfully completed an approved driver education course.
15 However, the completion of a course is not required if the
16 applicant demonstrates to the satisfaction of the department
17 that completion of the course would impose a hardship upon the
18 applicant. The department shall adopt rules defining the term
19 "hardship" and establish procedures for the demonstration and
20 determination of when completion of the course would impose a
21 hardship upon an applicant.

22 Sec. 2. Section 321.194, subsection 1, paragraph b,
23 unnumbered paragraph 1, Code 1999, is amended to read as
24 follows:

25 Each application shall be accompanied by a statement from
26 the authorities in charge of the nonpublic school or the
27 school board, superintendent, or principal, if authorized by
28 the superintendent, of the applicant's school. The statement
29 shall be upon a form provided by the department. The
30 authorities in charge of the nonpublic school or the school
31 board, superintendent, or principal, if authorized by the
32 superintendent, shall certify that a need exists for the
33 license and that the authorities in charge of the nonpublic
34 school or the board, superintendent, and a principal
35 authorized by the superintendent are not responsible for

1 actions of the applicant which pertain to the use of the
2 driver's license. The department of education shall adopt
3 rules establishing criteria for issuing a statement of
4 necessity. Upon receipt of a statement of necessity, the
5 department shall issue the driver's license. The fact that
6 the applicant resides at a distance less than one mile from
7 the applicant's schools of enrollment is prima facie evidence
8 of the nonexistence of necessity for the issuance of a
9 license. The driver's license shall not be issued for
10 purposes of attending a public school in a school district
11 other than either of the following:

12 Sec. 3. Section 321.194, Code 1999, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 3. For purposes of this section, "school"
15 includes a public or nonpublic school accredited by the
16 department of education or the state board of regents and a
17 nonpublic school that is not accredited by the department of
18 education or the state board of regents.

19 EXPLANATION

20 This bill amends Code section 321.194, relating to driver's
21 licenses issued to minors for travel to and from school, by
22 providing that such licenses may be issued for travel to and
23 from a public or nonpublic school accredited by the department
24 of education or the state board of regents or a nonpublic
25 school that is not accredited by the department of education
26 or the state board of regents.

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