

3/21/06 Removed from Calendar

FEB 28 2000
Place On Calendar

HOUSE FILE **2475**
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 2171)

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 2475

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

1 the superintendent are not responsible for actions of the
 2 applicant which pertain to the use of the driver's license.
 3 The department of education shall adopt rules establishing
 4 criteria for issuing a statement of necessity. Upon receipt
 5 of a statement of necessity, the department shall issue the
 6 driver's license. The fact that the applicant resides at a
 7 distance less than one mile from the applicant's schools of
 8 enrollment is prima facie evidence of the nonexistence of
 9 necessity for the issuance of a license. The driver's license
 10 shall not be issued for purposes of attending a public school
 11 in a school district 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 only,
 15 "school" includes a public or nonpublic school accredited by
 16 the department of education or the state board of regents and
 17 a nonpublic school that is not accredited by the department of
 18 education or the state board of regents. "Chief administrator
 19 in charge of the nonpublic school" means a person who has
 20 administrative authority over the school and possesses a
 21 teaching and administrator's license issued by the board of
 22 educational examiners.

23 EXPLANATION

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

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