

MAR 1 1999

TRANSPORTATION

HOUSE FILE

**434**

BY TEIG

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to an applicant's need for a school driver's  
2 license.

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

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**HF 434**

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

4 Each application shall be accompanied by a statement from  
5 the school board, superintendent, or principal, if authorized  
6 by the superintendent, of the applicant's school. The  
7 statement shall be upon a form provided by the department.  
8 The school board, superintendent, or principal, if authorized  
9 by the superintendent, shall certify that a need exists for  
10 the license and that the board, superintendent, and a  
11 principal authorized by the superintendent are not responsible  
12 for actions of the applicant which pertain to the use of the  
13 driver's license. The department of education shall adopt  
14 rules establishing criteria for issuing a statement of  
15 necessity. Upon receipt of a statement of necessity, the  
16 department shall issue the driver's license. The fact that  
17 the applicant resides at a distance less than one-half of one  
18 mile from the applicant's schools of enrollment is prima facie  
19 evidence of the nonexistence of necessity for the issuance of  
20 a license. The driver's license shall not be issued for  
21 purposes of attending a public school in a school district  
22 other than either of the following:

23 EXPLANATION

24 This bill amends a provision in Code section 321.194  
25 relating to statements of necessity from schools which  
26 accompany applications for school driver's licenses filed with  
27 the state department of transportation. Currently, Code  
28 section 321.194 provides that a minor between the ages of 14  
29 and 18 years may apply for and receive a school driver's  
30 license upon certification of a special need by the school  
31 board, superintendent, or principal of the applicant's school.  
32 The bill provides that if the applicant lives less than one-  
33 half of one mile from school, there is prima facie evidence  
34 that such need does not exist. Currently, prima facie  
35 evidence of such need does not exist if the applicant lives

1 less than one mile from school.

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