

TRANSPORTATION  
FILED FEB 2 2000

SENATE FILE 2081  
BY LAMBERTI

(COMPANION TO LSB 6202HH  
BY HUSER)

Passed Senate, Date \_\_\_\_\_ Passed House, 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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SF 2081  
TRANSPORTATION

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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