

House Study Bill 20

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON TYMESON)

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

A BILL FOR

1 An Act relating to driver education by a teaching parent.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 1399YC 81
4 dea/gg/14

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1 1 Section 1. NEW SECTION. 321.179 DRIVER EDUCATION ==
1 2 TEACHING PARENT.
1 3 1. TEACHING PARENT. As an alternative to the driver
1 4 education requirements under section 321.178, a teaching
1 5 parent may instruct a student in a driver education course
1 6 that meets the requirements of this section and provide
1 7 evidence that the requirements under this section have been
1 8 met.
1 9 2. DEFINITIONS. For purposes of this section:
1 10 a. "Approved course" means driver education curriculum
1 11 approved by the department pursuant to rules adopted under
1 12 chapter 17A. An approved course shall, at a minimum, meet the
1 13 requirements of subsection 3 and be appropriate for teaching=
1 14 parent-directed driver education and related street or highway
1 15 instruction. Driver education materials that meet or exceed
1 16 standards established by the department for an approved course
1 17 in driver education for a public or private school shall be
1 18 approved unless otherwise determined by the department. The
1 19 list of approved courses shall be posted on the department's
1 20 website.
1 21 b. "Student" means a person who is at least fourteen but
1 22 not yet eighteen years of age who is within the custody and
1 23 control of the teaching parent and who satisfies preliminary
1 24 licensing requirements of the department.
1 25 c. "Teaching parent" means a parent, guardian, or legal
1 26 custodian of a student who is currently providing competent
1 27 private instruction to the student pursuant to section 299A.2
1 28 or 299A.3 and who provided such instruction to the student
1 29 during the previous year; who has a valid driver's license,
1 30 other than a motorized bicycle license or a temporary
1 31 restricted license, that permits unaccompanied driving; and
1 32 who has maintained a clear driving record for the previous two
1 33 years. For purposes of this paragraph, "clear driving record"
1 34 means the individual has not been identified as a candidate
1 35 for suspension of a driver's license under the habitual
2 1 offender provisions of this chapter; is not subject to a
2 2 driver's license suspension, revocation, denial, cancellation,
2 3 disqualification, or bar; and has no record of a conviction
2 4 for a moving traffic violation determined to be the cause of a
2 5 motor vehicle accident.
2 6 3. COURSE OF INSTRUCTION. An approved course administered
2 7 by a teaching parent shall consist of, but not be limited to,
2 8 the following:
2 9 a. Thirty clock hours of classroom instruction.
2 10 b. Forty hours of street or highway driving while
2 11 accompanied by the teaching parent, including four hours of
2 12 driving after sunset and before sunrise.
2 13 c. Four hours of classroom instruction concerning
2 14 substance abuse.
2 15 d. A minimum of twenty minutes of instruction concerning
2 16 railroad crossing safety.
2 17 e. Instruction relating to becoming an organ donor under
2 18 the uniform anatomical gift Act.
2 19 The content of the course of instruction required under

2 20 this subsection shall be equivalent to that required under
2 21 section 321.178. However, reference and study materials,
2 22 physical classroom requirements, and extra vehicle safety
2 23 equipment required for instruction under section 321.178 shall
2 24 not be required for the course of instruction provided under
2 25 this section.

2 26 4. COURSE COMPLETION AND CERTIFICATION. Upon application
2 27 by a student for an intermediate license, the teaching parent
2 28 shall provide evidence showing the student's completion of an
2 29 approved course and substantial compliance with the
2 30 requirements of subsection 3 by affidavit signed by the
2 31 teaching parent on a form to be provided by the department.
2 32 The evidence shall include all of the following:

2 33 a. Documentation that the instructor is a teaching parent
2 34 as defined in subsection 2.

2 35 b. Documentation that the student is receiving competent
3 1 private instruction under section 299A.2 or the name of the
3 2 school district within which the student is receiving
3 3 instruction under section 299A.3.

3 4 c. The name of the approved course completed by the
3 5 student.

3 6 d. An affidavit attesting to satisfactory completion of
3 7 course work and street or highway driving instruction.

3 8 e. Copies of written tests completed by the student.

3 9 f. A statement of the number of classroom hours of
3 10 instruction.

3 11 g. A log of completed street or highway driving
3 12 instruction including the dates when the lessons were
3 13 conducted, the student's and the teaching parent's name and
3 14 initials noted next to each entry, notes on driving activities
3 15 including a list of driving deficiencies and improvements, and
3 16 the duration of the driving time for each session.

3 17 5. INTERMEDIATE LICENSE. Any student who successfully
3 18 completes an approved course as provided in this section,
3 19 passes a driving test to be administered by the department,
3 20 and is otherwise qualified under section 321.180B, subsection
3 21 2, shall be eligible for an intermediate license pursuant to
3 22 section 321.180B. Twenty of the forty hours of street or
3 23 highway driving instruction required under subsection 3,
3 24 paragraph "b", may be utilized to satisfy the requirement of
3 25 section 321.180B, subsection 2.

3 26 6. FULL LICENSE. A student must comply with section
3 27 321.180B, subsection 4, to be eligible for a full driver's
3 28 license pursuant to section 321.180B.

3 29 Sec. 2. Section 321.180B, subsection 2, unnumbered
3 30 paragraph 1, Code 2005, is amended to read as follows:

3 31 The department may issue an intermediate driver's license
3 32 to a person sixteen or seventeen years of age who possesses an
3 33 instruction permit issued under subsection 1 or a comparable
3 34 instruction permit issued by another state for a minimum of
3 35 six months immediately preceding application, and who presents
4 1 an affidavit signed by a parent or guardian on a form to be
4 2 provided by the department that the permittee has accumulated
4 3 a total of twenty hours of street or highway driving of which
4 4 two hours were conducted after sunset and before sunrise and
4 5 the street or highway driving was with the permittee's parent,
4 6 guardian, instructor, a person certified by the department, or
4 7 a person at least twenty-five years of age who had written
4 8 permission from a parent or guardian to accompany the
4 9 permittee, and whose driving privileges have not been
4 10 suspended, revoked, or barred under this chapter or chapter
4 11 321J during, and who has been accident and conviction free
4 12 continuously for, the six-month period immediately preceding
4 13 the application for an intermediate license. An applicant for
4 14 an intermediate license must meet the requirements of section
4 15 321.186, including satisfactory completion of driver education
4 16 as required in section 321.178 or 321.179, and payment of the
4 17 required license fee before an intermediate license will be
4 18 issued. A person issued an intermediate license must limit
4 19 the number of passengers in the motor vehicle when the
4 20 intermediate licensee is operating the motor vehicle to the
4 21 number of passenger safety belts.

4 22 EXPLANATION

4 23 This bill creates an alternative means for a student who is
4 24 at least 14 years of age to receive driver education
4 25 instruction currently offered by public schools to qualify for
4 26 an intermediate driver's license. The bill allows a parent,
4 27 guardian, or legal custodian who is providing competent
4 28 private instruction to a student to teach the student driver
4 29 education, provided the person has a valid driver's license
4 30 that permits unaccompanied driving and has a clear driving

4 31 record for the previous two years. The classroom instruction
4 32 requirements for the alternative course of instruction are
4 33 substantially the same as for an approved course of
4 34 instruction offered by a public school district or private or
4 35 commercial driver education school, with additional
5 1 requirements for 40, rather than 20, hours of street or
5 2 highway driving including night driving. The course of
5 3 instruction must be a course approved by the state department
5 4 of transportation by rule and utilize driver education
5 5 materials that meet or exceed standards established for driver
5 6 education courses approved for public or private schools. A
5 7 list of approved courses is to be posted on the transportation
5 8 department's website.

5 9 The teaching parent is required to document substantial
5 10 compliance with the driver education course requirements and
5 11 furnish an affidavit attesting to the student's satisfactory
5 12 completion of the course work and street or highway driving to
5 13 the department of education.

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