

**House File 2120 - Introduced**

HOUSE FILE 2120

BY HUNTER

**A BILL FOR**

1 An Act relating to requirements for instruction permits and  
2 driver's licenses issued to persons under eighteen years of  
3 age.

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

1 Section 1. Section 321.178, subsection 1, paragraph d, Code  
2 Supplement 2011, is amended to read as follows:

3 d. "Student", for purposes of this section, means a person  
4 between the ages of ~~fourteen~~ sixteen years and twenty-one years  
5 who satisfies the preliminary licensing requirements of the  
6 department.

7 Sec. 2. Section 321.180B, subsection 1, paragraph a, Code  
8 Supplement 2011, is amended to read as follows:

9 a. The department may issue an instruction permit to an  
10 applicant between the ages of ~~fourteen~~ sixteen and eighteen  
11 years if the applicant meets the requirements of sections  
12 321.184 and 321.186, other than a driving demonstration, and  
13 pays the required fee. An instruction permit issued under  
14 this section shall be valid for a period not to exceed four  
15 years from the licensee's birthday anniversary in the year of  
16 issuance. A motorcycle instruction permit issued under this  
17 section is not renewable.

18 Sec. 3. Section 321.180B, subsection 2, paragraph a, Code  
19 Supplement 2011, is amended to read as follows:

20 a. The department may issue an intermediate driver's  
21 license to a person sixteen or seventeen years of age who  
22 possesses an instruction permit issued under subsection 1 or  
23 a comparable instruction permit issued by another state for a  
24 minimum of six months immediately preceding application, and  
25 who presents an affidavit signed by a parent, guardian, or  
26 custodian on a form to be provided by the department that the  
27 permittee has accumulated a total of twenty hours of street  
28 or highway driving of which two hours were conducted after  
29 sunset and before sunrise and the street or highway driving was  
30 with the permittee's parent, guardian, custodian, instructor,  
31 a person certified by the department, or a person at least  
32 twenty-five years of age who had written permission from a  
33 parent, guardian, or custodian to accompany the permittee, and  
34 whose driving privileges have not been suspended, revoked,  
35 or barred under this chapter or chapter 321J during, and who

1 has been accident and violation free continuously for, the  
2 six-month period immediately preceding the application for an  
3 intermediate license. An applicant for an intermediate license  
4 must meet the requirements of section 321.186, including  
5 satisfactory completion of driver education as required in  
6 section 321.178, and payment of the required license fee  
7 before an intermediate license will be issued. A person  
8 issued an intermediate license ~~must~~ shall limit the number of  
9 passengers in the motor vehicle when the intermediate licensee  
10 is operating the motor vehicle to the number of passenger  
11 safety belts. A person issued an intermediate license shall  
12 not transport more than one passenger under twenty-one years  
13 of age, other than a person who is a member of the licensee's  
14 immediate family, in a motor vehicle unless accompanied by a  
15 person over twenty-one years of age who has a driver's license  
16 valid for the vehicle operated.

17 Sec. 4. Section 321.180B, subsection 3, Code Supplement  
18 2011, is amended to read as follows:

19 3. *Remedial driver improvement action — suspension of*  
20 *permit, ~~or intermediate license, or full license.~~*

21 a. A person who has been issued an instruction permit,  
22 ~~or an intermediate license, or a full driver's license~~ under  
23 this section, upon conviction of a moving traffic violation  
24 or involvement in a motor vehicle accident which occurred  
25 during the term of the instruction permit or intermediate  
26 license, shall be subject to remedial driver improvement action  
27 or suspension of the permit or current license. A person  
28 possessing an instruction permit who has been convicted of a  
29 moving traffic violation or has been involved in an accident  
30 shall not be issued an intermediate license until the person  
31 has completed the remedial driver improvement action and  
32 has been accident and violation free continuously for the  
33 six-month period immediately preceding the application for the  
34 intermediate license. ~~A person possessing an intermediate~~  
35 ~~license who has been convicted of a moving traffic violation~~

1 ~~or has been involved in an accident shall not be issued a full~~  
2 ~~driver's license until the person has completed the remedial~~  
3 ~~driver improvement action and has been accident and violation~~  
4 ~~free continuously for the twelve-month period immediately~~  
5 ~~preceding the application for a full driver's license.~~

6     **b.** The department may suspend an instruction permit, or  
7 intermediate license, ~~or full license~~ issued under this section  
8 upon receiving satisfactory evidence that the person issued the  
9 instruction permit, or intermediate license, ~~or full license~~  
10 violated the restrictions imposed under subsection 1, 2, or  
11 6 during the term of the instruction permit or intermediate  
12 license.

13     Sec. 5. Section 321.180B, subsection 4, Code Supplement  
14 2011, is amended by striking the subsection.

15     Sec. 6. Section 321.194, subsection 1, unnumbered paragraph  
16 1, Code Supplement 2011, is amended to read as follows:

17     Upon certification of a special need by the school board,  
18 superintendent of the applicant's school, or principal, if  
19 authorized by the superintendent, the department may issue a  
20 class C or M driver's license to a person between the ages of  
21 ~~fourteen~~ sixteen and eighteen years whose driving privileges  
22 have not been suspended, revoked, or barred under this chapter  
23 or chapter 321J during, and who has not been convicted of  
24 a moving traffic violation or involved in a motor vehicle  
25 accident for, the six-month period immediately preceding  
26 the application for the special minor's license and who has  
27 successfully completed an approved driver education course.  
28 However, the completion of a course is not required if the  
29 applicant demonstrates to the satisfaction of the department  
30 that completion of the course would impose a hardship upon the  
31 applicant. The department shall adopt rules defining the term  
32 "*hardship*" and establish procedures for the demonstration and  
33 determination of when completion of the course would impose a  
34 hardship upon an applicant.

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EXPLANATION

1 This bill raises the minimum age required for issuance of  
2 an instruction permit to operate a motor vehicle from 14 to 16  
3 years of age. Because an instruction permit is required for  
4 a student to participate in driver education, the bill amends  
5 the definition of "student", for purposes of driver education  
6 provisions, to include persons between 16 and 21 years of age,  
7 and the bill raises the minimum age for issuance of a special  
8 minor's license to drive to and from school to 16 years of age.

9 Under current law, a person who has an intermediate driver's  
10 license under the graduated driver licensing program must limit  
11 the number of passengers in a motor vehicle operated by the  
12 intermediate licensee to the number of passenger safety belts.  
13 The bill imposes a further passenger restriction by prohibiting  
14 an intermediate licensee from transporting more than one person  
15 under 21 years of age, other than an immediate family member,  
16 unless the intermediate licensee is accompanied by a licensed  
17 driver over 21 years of age.

18 The bill eliminates the full driver's license currently  
19 issued to a person 17 years of age who possesses an  
20 intermediate license, has satisfied hours-of-driving  
21 requirements, and has been accident and violation free for  
22 12 months. Under the bill, a person would drive under an  
23 intermediate license until attaining 18 years of age.