

Senate File 184 - Introduced

SENATE FILE 184
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1032)

A BILL FOR

1 An Act relating to intermediate driver's licenses and special
2 minor's licenses, making a penalty applicable, and including
3 effective date provisions.

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

1 Section 1. Section 321.180B, subsections 2 and 3, Code 2011,
2 are amended to read as follows:

3 2. *Intermediate license.*

4 a. The department may issue an intermediate driver's license
5 to a person sixteen or seventeen years of age who possesses an
6 instruction permit issued under subsection 1 or a comparable
7 instruction permit issued by another state for a minimum of
8 ~~six~~ twelve months immediately preceding application, and
9 who presents an affidavit signed by a parent, guardian, or
10 custodian on a form to be provided by the department that the
11 permittee has accumulated a total of twenty hours of street
12 or highway driving of which two hours were conducted after
13 sunset and before sunrise and the street or highway driving was
14 with the permittee's parent, guardian, custodian, instructor,
15 a person certified by the department, or a person at least
16 twenty-five years of age who had written permission from a
17 parent, guardian, or custodian to accompany the permittee, and
18 whose driving privileges have not been suspended, revoked,
19 or barred under this chapter or chapter 321J during, and
20 who has been accident and violation free continuously for,
21 the ~~six-month~~ twelve-month period immediately preceding the
22 application for an intermediate license. An applicant for an
23 intermediate license must meet the requirements of section
24 321.186, including satisfactory completion of driver education
25 as required in section 321.178, and payment of the required
26 license fee before an intermediate license will be issued. A
27 person issued an intermediate license must limit the number of
28 passengers in the motor vehicle when the intermediate licensee
29 is operating the motor vehicle to the number of passenger
30 safety belts. In addition, for the first six months following
31 issuance of the license, a person issued an intermediate
32 license must limit the number of unrelated minor passengers in
33 the motor vehicle when the intermediate licensee is operating
34 the motor vehicle to one, except when the intermediate licensee
35 is accompanied in accordance with subsection 1. For purposes

1 of this subsection, "unrelated minor passenger" means a
 2 passenger who is under twenty-one years of age and who is not a
 3 sibling of the driver, a stepsibling of the driver, or a child
 4 who resides in the same household as the driver.

5 *b.* Except as otherwise provided, a person issued an
 6 intermediate license under this subsection who is operating a
 7 motor vehicle between the hours of 12:30 a.m. and 5:00 a.m.
 8 must be accompanied by a person issued a driver's license
 9 valid for the vehicle operated who is the parent, guardian, or
 10 custodian of the permittee intermediate licensee, a member of
 11 the permittee's intermediate licensee's immediate family if the
 12 family member is at least twenty-one years of age, an approved
 13 driver education instructor, a prospective driver education
 14 instructor who is enrolled in a practitioner preparation
 15 program with a safety education program approved by the state
 16 board of education, or a person at least twenty-five years of
 17 age if written permission is granted by the parent, guardian,
 18 or custodian, and who is actually occupying a seat beside the
 19 driver. However, a licensee may operate a vehicle to and from
 20 school-related extracurricular activities and work without an
 21 accompanying driver between the hours of 12:30 a.m. and 5:00
 22 a.m. if ~~such~~ the licensee possesses a waiver on a form to be
 23 provided by the department. An accompanying driver is not
 24 required between the hours of 5:00 a.m. and 12:30 a.m.

25 3. *Remedial driver improvement action — suspension of*
 26 *permit, intermediate license, or full license.* A person who has
 27 been issued an instruction permit, an intermediate license, or
 28 a full driver's license under this section, upon conviction of
 29 a moving traffic violation or involvement in a motor vehicle
 30 accident which occurred during the term of the instruction
 31 permit or intermediate license, shall be subject to remedial
 32 driver improvement action or suspension of the permit or
 33 current license. A person possessing an instruction permit who
 34 has been convicted of a moving traffic violation or has been
 35 involved in an accident shall not be issued an intermediate

1 license until the person has completed the remedial driver
2 improvement action and has been accident and violation free
3 continuously for the ~~six-month~~ twelve-month period immediately
4 preceding the application for the intermediate license. A
5 person possessing an intermediate license who has been
6 convicted of a moving traffic violation or has been involved in
7 an accident shall not be issued a full driver's license until
8 the person has completed the remedial driver improvement action
9 and has been accident and violation free continuously for the
10 twelve-month period immediately preceding the application for a
11 full driver's license.

12 Sec. 2. Section 321.194, subsection 1, Code 2011, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. *Ob.* Unless accompanied in accordance with
15 section 321.180B, subsection 1, a person issued a driver's
16 license pursuant to this section must limit the number of
17 unrelated minor passengers in the motor vehicle when the
18 licensee is operating the motor vehicle to one. For purposes
19 of this section, "*unrelated minor passenger*" means a passenger
20 who is under twenty-one years of age and who is not a sibling of
21 the driver, a stepsibling of the driver, or a child who resides
22 in the same household as the driver.

23 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
24 2012.

25 EXPLANATION

26 This bill amends provisions relating to intermediate
27 driver's licenses under the graduated driver licensing program
28 and to special minor's licenses issued for travel to and from
29 school.

30 Under the graduated driver licensing program, a person who
31 is 16 or 17 years of age must possess an instruction permit
32 for a minimum of six months and be accident and violation
33 free continuously during that six-month period to qualify for
34 an intermediate license. The bill increases the required
35 period of possession of an instruction permit to 12 months

1 and requires the person to be accident and violation free
2 continuously during that 12-month period.

3 Under current law, an intermediate licensee may transport
4 as many passengers as there are seatbelts in the vehicle, but
5 there is no passenger restriction specified for a driver with
6 a special minor's license. The bill imposes new passenger
7 restrictions for licensees in both categories. Unless
8 accompanied by a person licensed to drive the vehicle operated
9 who is the parent, guardian, or custodian of the intermediate
10 licensee, a family member who is at least 21 years of age,
11 an approved driver education instructor, a prospective
12 driver education instructor who is enrolled in a qualifying
13 practitioner preparation program, or a person at least 25 years
14 of age with the written permission of the parent, guardian, or
15 custodian of the intermediate licensee and who is occupying a
16 seat beside the driver, a person with an intermediate license
17 or a special minor's license may not operate a motor vehicle
18 with more than one unrelated minor passenger in the vehicle.
19 The restriction on unrelated minor passengers is lifted for
20 an intermediate licensee after six months. The bill defines
21 "unrelated minor passenger" as a passenger under 21 years of
22 age who is not a sibling or stepsibling of the driver or a child
23 who resides in the same household as the driver.

24 A violation of intermediate driver's license restrictions or
25 special minor's license restrictions is a simple misdemeanor
26 punishable by a scheduled fine of \$50.

27 The bill takes effect January 1, 2012.