

Senate File 317 - Introduced

SENATE FILE 317

BY SODDERS

A BILL FOR

1 An Act relating to the examination requirements for an
2 applicant for a noncommercial driver's license.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

3 c. Every public school district in Iowa shall offer or make
4 available to all students residing in the school district or
5 Iowa students attending a nonpublic school in the district an
6 approved course in driver education. The receiving district
7 shall be the school district responsible for making driver
8 education available to a student participating in open
9 enrollment under section 282.18. The courses may be offered
10 at sites other than at the public school, including nonpublic
11 school facilities within the public school districts. An
12 approved course offered during the summer months, on Saturdays,
13 after regular school hours during the regular terms or partly
14 in one term or summer vacation period and partly in the
15 succeeding term or summer vacation period, as the case may
16 be, shall satisfy the requirements of this section to the
17 same extent as an approved course offered during the regular
18 school hours of the school term. ~~A student who successfully
19 completes and obtains certification in an approved course in
20 driver education or an approved course in motorcycle education
21 may, upon proof of such fact, be excused from any field test
22 which the student would otherwise be required to take in
23 demonstrating the student's ability to operate a motor vehicle.
24 A student shall not be excused from any field test if a parent,
25 guardian, or instructor requests that a test be administered.~~
26 A final field test prior to a student's completion of an
27 approved course shall be administered by a person qualified
28 as a classroom driver education instructor and certified to
29 provide street and highway driving instruction. A person
30 qualified as a classroom driver education instructor but not
31 certified to provide street and highway driving instruction
32 may administer the final field test if accompanied by another
33 person qualified to provide street and highway driving
34 instruction.

35 Sec. 2. Section 321.186, subsection 1, Code 2011, is amended

1 to read as follows:

2 1. The department ~~may~~ shall examine every new applicant
3 for a driver's license ~~or~~ and may examine any person holding
4 a valid driver's license when the department has reason
5 to believe that the person may be physically or mentally
6 incompetent to operate a motor vehicle, or whose driving
7 record appears to the department to justify the examination.
8 The department shall make every effort to accommodate a
9 functionally illiterate applicant when the applicant is taking
10 a knowledge test. The department shall make every effort
11 to have an examiner conduct the commercial driver's license
12 driving skills tests at other locations in this state where
13 skills may be adequately tested when requested by a person
14 representing ten or more drivers requiring driving skills
15 testing.

16 Sec. 3. Section 321.188, subsection 2, unnumbered paragraph
17 1, Code 2011, is amended to read as follows:

18 ~~An~~ Notwithstanding section 321.186, an applicant for a
19 commercial driver's license may substitute for a driving skills
20 test the applicant's operating record and previous passage of
21 a driving skills test or the applicant's operating record and
22 previous driving experience if all of the following conditions
23 exist:

24 EXPLANATION

25 Under current law, the department of transportation is
26 authorized to examine every person who applies for a driver's
27 license, as well as any person holding a valid driver's license
28 when the department has reason to believe the person may be
29 physically or mentally incompetent to drive or whose driving
30 record appears to justify the examination. The department can
31 waive examination requirements for a new resident who has a
32 valid driver's license from another state. In addition, the
33 department can waive the driving skills test for a student who
34 successfully completes an approved driver's education course.
35 This bill requires the department to fully examine every

1 applicant for a noncommercial driver's license.

2 Pursuant to current law, an examination for a driver's
3 license includes a test of the applicant's eyesight, a test
4 of the applicant's ability to read and understand highway
5 signs, a test of the applicant's knowledge of traffic laws, a
6 demonstration of the applicant's ability to exercise ordinary
7 and reasonable control in the operation of a motor vehicle,
8 and any other physical or mental examinations the department
9 deems necessary to determine an applicant's fitness to operate
10 a motor vehicle safely.

11 Under the bill, an applicant for a commercial driver's
12 license may continue to substitute for a driving skills test
13 the applicant's operating record and previous passage of an
14 equivalent driving skills test or the applicant's operating
15 record and previous driving experience.