Senate File 115 - Introduced

SENATE FILE 115
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1019)

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, subsection 2, Code 2013, is 2 amended to read as follows:
- 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 who
- 20 has been accident and violation free continuously for, the
- 21 six-month period immediately preceding the application for an
- 22 intermediate license. An applicant for an intermediate license
- 23 must meet the requirements of section 321.186, including
- 24 satisfactory completion of driver education as required in
- 25 section 321.178, and payment of the required license fee before
- 26 an intermediate license will be issued. A person issued an
- 27 intermediate license must limit the number of passengers in
- 28 the motor vehicle when the intermediate licensee is operating
- 29 the motor vehicle to the number of passenger safety belts. In
- 30 addition, for the first six months following issuance of the
- 31 license, a person issued an intermediate license must limit the
- 32 number of unrelated minor passengers in the motor vehicle when
- 33 the intermediate licensee is operating the motor vehicle to
- 34 one, except when the intermediate licensee is accompanied in
- 35 accordance with subsection 1. For purposes of this subsection,

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- 1 "unrelated minor passenger" means a passenger who is under
- 2 eighteen years of age and who is not a sibling of the driver, a
- 3 stepsibling of the driver, or a child who resides in the same
- 4 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.
- Sec. 2. Section 321.194, subsection 1, Code 2013, is amended
- 26 by adding the following new paragraph:
- 27 NEW PARAGRAPH. Ob. Unless accompanied in accordance with
- 28 section 321.180B, subsection 1, a person issued a driver's
- 29 license pursuant to this section must limit the number of
- 30 unrelated minor passengers in the motor vehicle when the
- 31 licensee is operating the motor vehicle to one. For purposes
- 32 of this section, "unrelated minor passenger" means a passenger
- 33 who is under eighteen years of age and who is not a sibling of
- 34 the driver, a stepsibling of the driver, or a child who resides
- 35 in the same household as the driver.

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1 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1, 2 2014.

3 EXPLANATION

- 4 This bill amends provisions relating to intermediate
- 5 driver's licenses under the graduated driver licensing program
- 6 and to special minor's licenses issued for travel to and from 7 school.
- 8 Under the graduated driver licensing program, a person who
- 9 is 16 or 17 years of age must possess an instruction permit for
- 10 a minimum of six months to qualify for an intermediate license.
- 11 During that period, the permittee must accumulate a total of
- 12 20 hours of street or highway driving while accompanied by
- 13 the permittee's parent, guardian, custodian, or instructor,
- 14 a person certified by the department of transportation, or a
- 15 person at least 25 years of age with written permission from a
- 16 parent, guardian, or custodian to accompany the permittee. The
- 17 hours of accompanied driving must include two hours conducted
- 18 after sunset and before sunrise. The bill increases the
- 19 required period of possession of an instruction permit to 12
- 20 months, with no change in the required hours of accompanied
- 21 driving.
- 22 Under current law, an intermediate licensee may transport
- 23 only as many passengers as there are seatbelts in the vehicle,
- 24 but there is no passenger restriction specified for a driver
- 25 with a special minor's license. The bill imposes a new
- 26 passenger restriction for licensees in both categories.
- 27 Unless accompanied by a person licensed to drive the vehicle
- 28 operated who is the parent, guardian, or custodian of the
- 29 intermediate licensee, a family member who is at least 21 years
- 30 of age, an approved driver education instructor, a prospective
- 31 driver education instructor who is enrolled in a qualifying
- 32 practitioner preparation program, or a person at least 25 years
- 33 of age with the written permission of the parent, guardian, or
- 34 custodian of the intermediate licensee and who is occupying a
- 35 seat beside the driver, a person with an intermediate license

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- 1 or a special minor's license may not operate a motor vehicle
- 2 with more than one unrelated minor passenger in the vehicle.
- 3 The restriction on unrelated minor passengers is lifted for
- 4 an intermediate licensee after six months. The bill defines
- 5 "unrelated minor passenger" as a passenger under 18 years of
- 6 age who is not a sibling or stepsibling of the driver or a child
- 7 who resides in the same household as the driver.
- 8 A violation of intermediate driver's license restrictions or
- 9 special minor's license restrictions is a simple misdemeanor
- 10 punishable by a scheduled fine of \$50.
- 11 The bill takes effect January 1, 2014.