

House File 84 - Introduced

HOUSE FILE 84
BY HEARTSILL

A BILL FOR

1 An Act relating to parent-taught driver education.

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

1 Section 1. Section 321.178A, Code 2017, is amended to read
2 as follows:

3 321.178A Driver Parent-taught driver education — ~~teaching~~
4 ~~parent~~.

5 1. ~~Teaching parent~~ Instruction by qualified parent. As an
6 alternative to the driver education requirements under section
7 321.178, a ~~teaching~~ qualified parent may instruct a student in
8 a driver education course that meets the requirements of this
9 section and provide evidence that the requirements under this
10 section have been met.

11 2. *Definitions*. For purposes of **this section**:

12 a. *"Approved course"* means driver education curriculum
13 approved by the department pursuant to rules adopted under
14 chapter 17A. An approved course shall, at a minimum, meet
15 the requirements of **subsection 3** and be appropriate for
16 ~~teaching-parent-directed~~ parent-directed driver education
17 and related street or highway instruction. Driver education
18 materials that meet or exceed standards established by the
19 department for an approved course in driver education for a
20 public or private school shall be approved unless otherwise
21 determined by the department. The list of approved courses
22 shall be posted on the department's internet site.

23 ~~b. "Student" means a person between the ages of fourteen~~
24 ~~and twenty-one years who is within the custody and control of~~
25 ~~the teaching parent and who satisfies preliminary licensing~~
26 ~~requirements of the department.~~

27 ~~c. b. "Teaching parent" "Qualified parent" means a person~~
28 ~~who is a parent, guardian, or legal custodian of a student who~~
29 ~~is currently providing competent private instruction to the~~
30 ~~student pursuant to **section 299A.2** or **299A.3** and who provided~~
31 ~~such instruction to the student during the previous year; who,~~
32 provided that the person has a valid driver's license, other
33 than a motorized bicycle license or a temporary restricted
34 license, that permits unaccompanied driving, and ~~who~~ the
35 person has maintained a clear driving record for the previous

1 two years. For purposes of this paragraph, "clear driving
2 record" means the ~~individual~~ person has not been identified
3 as a candidate for suspension or revocation of a driver's
4 license under the habitual violator or habitual offender
5 provisions of the department's regulations; is not subject to a
6 driver's license suspension, revocation, denial, cancellation,
7 disqualification, or bar; and has no record of a conviction
8 for a moving traffic violation determined to be the cause of a
9 motor vehicle accident.

10 c. "Student" means a person between the ages of fourteen
11 and twenty-one years who is within the custody and control of
12 the qualified parent and who satisfies preliminary licensing
13 requirements of the department.

14 3. *Course of instruction.*

15 a. An approved course administered by a ~~teaching~~ qualified
16 parent shall consist of but not be limited to the following:

17 (1) Thirty clock hours of classroom instruction.

18 (2) Forty hours of street or highway driving including
19 four hours of driving after sunset and before sunrise while
20 accompanied by the ~~teaching~~ qualified parent.

21 (3) Four hours of classroom instruction concerning
22 substance abuse.

23 (4) A minimum of twenty minutes of instruction concerning
24 railroad crossing safety.

25 (5) Instruction relating to becoming an organ donor under
26 the revised uniform anatomical gift Act as provided in chapter
27 142C.

28 (6) Instruction providing an awareness about sharing the
29 road with bicycles and motorcycles.

30 b. The content of the course of instruction required under
31 this subsection shall be equivalent to that required under
32 section 321.178. However, reference and study materials,
33 physical classroom requirements, and extra vehicle safety
34 equipment required for instruction under [section 321.178](#) shall
35 not be required for the course of instruction provided under

1 this section.

2 4. *Course completion and certification.* Upon application
3 by a student for an intermediate license, the ~~teaching~~
4 qualified parent shall provide evidence showing the student's
5 completion of an approved course and substantial compliance
6 with the requirements of [subsection 3](#) by affidavit signed by
7 the ~~teaching~~ qualified parent on a form to be provided by the
8 department. The evidence shall include all of the following:

9 a. Documentation that the instructor is a ~~teaching~~ qualified
10 parent as ~~defined in~~ [subsection 2](#).

11 ~~b. Documentation that the student is receiving competent~~
12 ~~private instruction under~~ [section 299A.2](#) ~~or the name of~~
13 ~~the school district within which the student is receiving~~
14 ~~instruction under~~ [section 299A.3](#).

15 ~~c. b.~~ The name of the approved course completed by the
16 student.

17 ~~d. c.~~ An affidavit attesting to satisfactory completion of
18 course work and street or highway driving instruction.

19 ~~e. d.~~ Copies of written tests completed by the student.

20 ~~f. e.~~ A statement of the number of classroom hours of
21 instruction.

22 ~~g. f.~~ A log of completed street or highway driving
23 instruction including the dates when the lessons were
24 conducted, the student's and the ~~teaching~~ qualified parent's
25 name and initials noted next to each entry, notes on driving
26 activities including a list of driving deficiencies and
27 improvements, and the duration of the driving time for each
28 session.

29 5. *Intermediate license.* Any student who successfully
30 completes an approved course as provided in [this section](#),
31 passes a driving test to be administered by the department,
32 and is otherwise qualified under [section 321.180B](#), subsection
33 2, shall be eligible for an intermediate license pursuant
34 to [section 321.180B](#). Twenty of the forty hours of street
35 or highway driving instruction required under [subsection 3](#),

1 paragraph "a", subparagraph (2), may be used to satisfy the
2 requirement of [section 321.180B, subsection 2](#).

3 6. *Full license.* A student must comply with section
4 321.180B, subsection 4, to be eligible for a full driver's
5 license pursuant to [section 321.180B](#).

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill expands current law to allow any qualified parent
10 to teach driver education to that parent's child. Current law
11 allows a parent, guardian, or legal custodian of a student who
12 is providing competent private instruction to that student to
13 teach the student driver education, provided the person has a
14 valid driver's license that permits unaccompanied driving and
15 has a clear driving record for the previous two years.

16 The requirements for a driver education course taught
17 by a qualified parent are the same as the requirements
18 currently applicable to a course taught by a "teaching parent".
19 "Qualified parent" is defined to include a parent, guardian, or
20 legal custodian of a student, provided the person has a valid
21 driver's license that permits unaccompanied driving and has a
22 clear driving record for the previous two years.

23 The classroom instruction requirements for the alternative
24 course of instruction are substantially the same as for an
25 approved course of instruction offered by a public school
26 district or private or commercial driver education school,
27 with additional requirements for 40, rather than 20, hours
28 of street or highway driving including night driving. The
29 course of instruction must be a course approved by the
30 department of transportation by rule and use driver education
31 materials that meet or exceed standards established for driver
32 education courses approved for public or private schools. A
33 list of approved courses must be posted on the department of
34 transportation's internet site. In order for the student to
35 qualify for an intermediate driver's license, the qualified

1 parent is required to document substantial compliance with the
2 driver education course requirements and furnish an affidavit
3 attesting to the student's satisfactory completion of the
4 course work and street or highway driving to the department of
5 education.