

House Study Bill 570 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON VANDER LINDEN)

A BILL FOR

1 An Act relating to parent-taught driver education and providing
2 for a fee.

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

1 Section 1. Section 321.178A, Code 2018, 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 2A. License to teach. A qualified parent shall submit
15 an application for a license to teach driver education to a
16 student under this section. A license issued to a qualified
17 parent shall be issued for a calendar year and may be renewed.
18 The fee for a license or the renewal of a license under this
19 section is fifty dollars. The fees collected for a license
20 issued or renewed under this section are appropriated to the
21 department to be used by the department to administer this
22 section.

23 3. *Course of instruction.*

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

26 (1) Thirty clock hours of classroom instruction.

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

30 (3) Four hours of classroom instruction concerning
31 substance abuse.

32 (4) A minimum of twenty minutes of instruction concerning
33 railroad crossing safety.

34 (5) Instruction relating to becoming an organ donor under
35 the revised uniform anatomical gift Act as provided in chapter

1 142C.

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

4 *b.* The content of the course of instruction required under
5 this subsection shall be equivalent to that required under
6 section 321.178. However, reference and study materials,
7 physical classroom requirements, and extra vehicle safety
8 equipment required for instruction under [section 321.178](#) shall
9 not be required for the course of instruction provided under
10 this section.

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

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

20 ~~*b.* Documentation that the student is receiving competent~~
21 ~~private instruction under~~ [section 299A.2](#) ~~or the name of~~
22 ~~the school district within which the student is receiving~~
23 ~~instruction under~~ [section 299A.3](#).

24 ~~*c.*~~ *b.* The name of the approved course completed by the
25 student.

26 ~~*d.*~~ *c.* An affidavit attesting to satisfactory completion of
27 course work and street or highway driving instruction.

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

29 ~~*f.*~~ *e.* A statement of the number of classroom hours of
30 instruction.

31 ~~*g.*~~ *f.* A log of completed street or highway driving
32 instruction including the dates when the lessons were
33 conducted, the student's and the ~~teaching~~ qualified parent's
34 name and initials noted next to each entry, notes on driving
35 activities including a list of driving deficiencies and

1 improvements, and the duration of the driving time for each
2 session.

3 5. *Intermediate license.* Any student who successfully
4 completes an approved course as provided in [this section](#),
5 passes a driving test to be administered by the department,
6 and is otherwise qualified under section 321.180B, subsection
7 2, shall be eligible for an intermediate license pursuant
8 to [section 321.180B](#). Twenty of the forty hours of street
9 or highway driving instruction required under [subsection 3](#),
10 paragraph "a", subparagraph (2), may be used to satisfy the
11 requirement of [section 321.180B, subsection 2](#).

12 6. *Full license.* A student must comply with section
13 321.180B, subsection 4, to be eligible for a full driver's
14 license pursuant to [section 321.180B](#).

15 EXPLANATION

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

18 This bill expands current law to allow any qualified parent
19 to teach driver education to that parent's child if the
20 qualified parent meets certain requirements, including but not
21 limited to applying for a license to teach their child and
22 payment of a \$50 fee for a one-year renewable license. Current
23 law allows a parent, guardian, or legal custodian of a student
24 who is providing competent private instruction to that student
25 to teach the student driver education, provided the person has
26 a valid driver's license that permits unaccompanied driving and
27 has a clear driving record for the previous two years.

28 The requirements for a driver education course taught
29 by a qualified parent are the same as the requirements
30 currently applicable to a course taught by a "teaching parent".
31 "Qualified parent" is defined to include a parent, guardian, or
32 legal custodian of a student, provided the person has a valid
33 driver's license that permits unaccompanied driving and has a
34 clear driving record for the previous two years.

35 The classroom instruction requirements for the alternative

1 course of instruction are substantially the same as for an
2 approved course of instruction offered by a public school
3 district or private or commercial driver education school,
4 with additional requirements for 40, rather than 20, hours
5 of street or highway driving including night driving. The
6 course of instruction must be a course approved by the
7 department of transportation by rule and use driver education
8 materials that meet or exceed standards established for driver
9 education courses approved for public or private schools. A
10 list of approved courses must be posted on the department of
11 transportation's internet site. In order for the student to
12 qualify for an intermediate driver's license, the qualified
13 parent is required to document substantial compliance with the
14 driver education course requirements and furnish an affidavit
15 attesting to the student's satisfactory completion of the
16 course work and street or highway driving to the department of
17 education.

18 The license fees collected by the department of
19 transportation are appropriated to the department for purposes
20 of administering parent-taught driver education.