

House File 2104 - Introduced

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BY GASSMAN

A BILL FOR

1 An Act creating a special minor's farm driver's license, and
2 providing penalties.

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

1 Section 1. Section 321.177, subsection 1, Code 2020, is
2 amended to read as follows:

3 1. To any person who is under the age of eighteen years
4 except as provided in [section 321.180B](#). However, the department
5 may issue a driver's license to certain minors as provided
6 in [section 321.178](#), ~~or 321.194~~, or 321.194A, or a driver's
7 license restricted to motorized bicycles as provided in section
8 321.189.

9 Sec. 2. Section 321.178, subsection 1, paragraph e, Code
10 2020, is amended to read as follows:

11 e. Any person who successfully completes an approved driver
12 education course at a private or commercial driver education
13 school licensed by the department shall likewise be eligible
14 for a driver's license as provided in [section 321.180B](#), ~~or~~
15 [321.194](#), or 321.194A.

16 Sec. 3. Section 321.180B, unnumbered paragraph 1, Code
17 2020, is amended to read as follows:

18 Persons under age eighteen shall not be issued a license or
19 permit to operate a motor vehicle except under the provisions
20 of [this section](#). However, the department may issue restricted
21 and special driver's licenses to certain minors as provided
22 in [sections 321.178](#), ~~and 321.194~~, and 321.194A, and driver's
23 licenses restricted to motorized bicycles as provided in
24 section 321.189. A license or permit shall not be issued
25 under [this section](#) or [section 321.178](#), ~~or 321.194~~, or 321.194A
26 without the consent of a parent or guardian or a person
27 having custody of the applicant under [chapter 232](#) or [600A](#). An
28 additional consent is required each time a license or permit is
29 issued under [this section](#) or [section 321.178](#), ~~or 321.194~~, or
30 321.194A. The consent must be signed by at least one parent,
31 guardian, or custodian on an affidavit form provided by the
32 department.

33 Sec. 4. Section 321.191, subsection 6, Code 2020, is amended
34 to read as follows:

35 6. *Special ~~minors'~~ minor's licenses.* Notwithstanding

1 subsection 2, the fee for a driver's license issued to a minor
2 under [section 321.194](#) or [321.194A](#) or a restricted license
3 issued to a minor under [section 321.178, subsection 2](#), is eight
4 dollars.

5 Sec. 5. Section 321.191, subsection 9, paragraph b, Code
6 2020, is amended to read as follows:

7 *b.* As used in [this subsection](#), "*to upgrade a license class*
8 *privilege*" means to add any privilege to a valid driver's
9 license. The addition of a privilege includes converting
10 from a noncommercial to a commercial license, converting from
11 a noncommercial class C to a class D license, converting an
12 instruction or learner's permit to a class license, adding any
13 privilege to a [section 321.189, subsection 7](#), license, adding
14 an instruction or learner's permit privilege, adding a section
15 321.189, subsection 7, license to an instruction or learner's
16 permit, and adding any privilege relating to a driver's
17 license issued to a minor under [section 321.178, 321.194](#), or
18 ~~321.178~~ [321.194A](#).

19 Sec. 6. NEW SECTION. **321.194A Special minor's farm license.**

20 1. *Persons eligible.* The department may issue a class C
21 or M driver's license to a person between the ages of fourteen
22 and eighteen years who resides on a farm in this state or is
23 employed for compensation on a farm in this state if all of the
24 following apply:

25 *a.* The person's driving privileges have not been suspended,
26 revoked, or barred under this chapter or chapter 321J during,
27 and the person has not been convicted of a moving traffic
28 violation or involved in a motor vehicle accident for, the
29 six-month period immediately preceding the application for the
30 special minor's farm license.

31 *b.* The person has successfully completed an approved driver
32 education course. However, the completion of a course is not
33 required if the applicant demonstrates to the satisfaction of
34 the department that completion of the course would impose a
35 hardship upon the applicant as determined by rules adopted by

1 the department under section 321.194.

2 *c.* The person's parent or guardian has certified to the
3 department, pursuant to subsection 3, that the person lives on
4 a farm or is employed for compensation on a farm in this state
5 and that a need exists for the license.

6 2. *Driving privileges.*

7 *a. Permit operations.* The special minor's farm license
8 entitles the licensee, while having the license in immediate
9 possession, to operate a motor vehicle, other than a commercial
10 motor vehicle or as a chauffeur, during the times and for the
11 purposes set forth in this paragraph.

12 (1) The licensee may operate a motor vehicle during the
13 hours of 5:00 a.m. to 10:00 p.m. for the purpose of assisting
14 the person's parents, guardians, or employers with farm work
15 or in connection with any farm job, employment, or other
16 farm-related work, including traveling to or from the location
17 of the farm work, provided the driving distance between the
18 point of origin and the destination is no more than fifty
19 miles.

20 (2) At any time when the licensee is accompanied in
21 accordance with section 321.180B, subsection 1.

22 *b. Restrictions.*

23 (1) *Passengers.* Unless accompanied in accordance with
24 section 321.180B, subsection 1, a person issued a driver's
25 license pursuant to this section must limit the number of
26 unrelated minor passengers in the motor vehicle when the
27 licensee is operating the motor vehicle to one. For purposes
28 of this section, "*unrelated minor passenger*" means a passenger
29 who is under eighteen years of age and who is not a sibling of
30 the driver, a stepsibling of the driver, or a child who resides
31 in the same household as the driver.

32 (2) *Electronic communication devices.* A person issued a
33 driver's license under this section shall not use an electronic
34 communication device or an electronic entertainment device
35 while driving a motor vehicle unless the motor vehicle is at a

1 complete stop off the traveled portion of the roadway. This
2 subparagraph does not apply to the use of electronic equipment
3 which is permanently installed in the motor vehicle or to a
4 portable device which is operated through permanently installed
5 equipment. The department, in cooperation with the department
6 of public safety, shall establish educational programs to
7 foster compliance with the requirements of this subparagraph.

8 3. *Certification of need and issuance of license.*

9 a. Each application shall be accompanied by a statement from
10 the applicant's parent or guardian that the applicant lives on
11 a farm or is employed for compensation on a farm in this state,
12 and that a need exists for the license. The statement shall be
13 on a form provided by the department.

14 b. Upon receipt of a statement demonstrating farm residency
15 or employment, the department shall issue the driver's license
16 provided the applicant is otherwise eligible for issuance of
17 a license.

18 4. *Suspension and revocation.* A driver's license issued
19 under this section is subject to suspension or revocation
20 for the same reasons and in the same manner as suspension or
21 revocation of any other driver's license. The department may
22 also suspend a driver's license issued under this section upon
23 receiving satisfactory evidence that the licensee has violated
24 the restrictions of the license or has been involved in one
25 or more accidents chargeable to the licensee. The department
26 may suspend a driver's license issued under this section
27 upon receiving a record of the licensee's conviction for one
28 violation. The department shall revoke the license upon
29 receiving a record of conviction for two or more violations
30 of a law of this state or a city ordinance regulating the
31 operation of motor vehicles on highways other than parking
32 violations as defined in section 321.210. After a person
33 licensed under this section receives two or more convictions
34 which require revocation of the person's license under this
35 section, the department shall not grant an application for a

1 new driver's license until the expiration of thirty days.

2 5. *Citations for violation of restrictions.* A person who
3 violates the restrictions imposed under subsection 2 may
4 be issued a citation under this section and shall not be
5 issued a citation under section 321.193. A violation of the
6 restrictions imposed under subsection 2 shall not be considered
7 a moving violation.

8 Sec. 7. Section 321.213, Code 2020, is amended to read as
9 follows:

10 **321.213 License suspensions or revocations due to violations**
11 **by juvenile drivers.**

12 Upon the entering of a dispositional order suspending or
13 revoking the driver's license or operating privileges of the
14 juvenile under [section 232.52, subsection 2](#), paragraph "a",
15 the clerk of the juvenile court shall forward a copy of the
16 adjudication and the dispositional order to the department.
17 Notwithstanding [section 232.55](#), a final adjudication in a
18 juvenile court that the child violated a provision of this
19 chapter or [chapter 321A](#) or [321J](#) constitutes a final conviction
20 for purposes of [section 321.189, subsection 7](#), paragraph "b",
21 and [sections 321.193, 321.194, 321.194A, 321.200, 321.209,](#)
22 [321.210, 321.215, 321.555, 321A.17, 321J.2, 321J.3, and 321J.4.](#)

23 Sec. 8. Section 321.482A, unnumbered paragraph 1, Code
24 2020, is amended to read as follows:

25 Notwithstanding [section 321.482](#), a person who is convicted
26 of operating a motor vehicle in violation of section 321.178,
27 subsection 2, paragraph "a", subparagraph (2), section
28 321.180B, subsection 6, [section 321.194, subsection 2,](#)
29 [paragraph "b", subparagraph \(2\), section 321.194A, subsection](#)
30 [2, paragraph "b", subparagraph \(2\), section 321.256, 321.257,](#)
31 [section 321.275, subsection 4, section 321.276, 321.297,](#)
32 [321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306,](#)
33 [321.307, 321.311, 321.319, 321.320, 321.321, 321.322, 321.323,](#)
34 [321.324, 321.324A, 321.327, 321.329, 321.333,](#) section 321.372,
35 subsection 3, or [section 321.449B](#), causing serious injury to

1 or the death of another person may be subject to the following
2 penalties in addition to the penalty provided for a scheduled
3 violation in [section 805.8A](#) or any other penalty provided by
4 law:

5 Sec. 9. Section 321A.17, subsection 4, Code 2020, is amended
6 to read as follows:

7 4. An individual applying for a driver's license following a
8 period of suspension or revocation pursuant to a dispositional
9 order issued under [section 232.52, subsection 2](#), paragraph
10 "a", or under [section 321.180B](#), section 321.210, subsection
11 1, paragraph "a", subparagraph (4), or [section 321.210A](#),
12 [321.213A](#), [321.213B](#), [321.216B](#), or [321.513](#), following a period
13 of suspension or revocation under [section 321.178](#), ~~or 321.194~~,
14 or 321.194A or following a period of revocation pursuant to a
15 court order issued under [section 321J.2A](#), is not required to
16 maintain proof of financial responsibility under [this section](#).

17 Sec. 10. Section 805.8A, subsection 4, Code 2020, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. *Oh.* Section 321.194A.....\$50.

20 EXPLANATION

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

23 This bill allows the department of transportation (DOT)
24 to issue a class C or M driver's license to a person between
25 the ages of 14 and 18 years who resides on a farm in this
26 state or is employed for compensation on a farm in this state.
27 The bill includes many provisions applicable to the special
28 minor's farm license that are similar to the requirements for
29 a special minor's license under Code section 321.194. To be
30 eligible, the person must not have had their driving privileges
31 suspended, revoked, or barred pursuant to Code chapters 321 or
32 321J and not have been convicted of a moving traffic violation
33 or involved in a motor vehicle accident for the six-month
34 period immediately preceding the application for the special
35 minor's farm license. The person must also have successfully

1 completed an approved driver education course unless the person
2 can show to the satisfaction of the DOT that completion of the
3 course would impose a hardship upon the person. The person's
4 parent or guardian must also certify to the DOT that the person
5 lives on a farm or is employed for compensation on a farm in
6 this state and that a need exists for the license.

7 The special minor's farm license allows the licensee to
8 operate a motor vehicle during the hours of 5:00 a.m. to 10:00
9 p.m. to assist the person's parents, guardians, or employers
10 with farm work in connection with any farm job, employment, or
11 farm-related work, including traveling to or from the location
12 of the farm work, provided the driving distance between the
13 point of origin and the destination is no more than 50 miles.
14 The licensee is also allowed to operate a motor vehicle if
15 accompanied by another person in accordance with Code section
16 321.180B(1).

17 The bill provides that a person issued a special minor's farm
18 license must limit the number of unrelated minor passengers in
19 the motor vehicle to one unless accompanied in accordance with
20 Code section 321.180B(1). The bill defines the term "unrelated
21 minor passenger".

22 The bill further provides that a person issued a special
23 minor's farm license is prohibited from using an electronic
24 communication device or an electronic entertainment device
25 while driving a motor vehicle unless the motor vehicle is at a
26 complete stop off the traveled portion of the roadway. This
27 restriction does not apply to the use of electronic equipment
28 that is permanently installed in the motor vehicle or to a
29 portable device that is operated through permanently installed
30 equipment. The bill also requires the DOT and the department
31 of public safety to develop educational programs to foster
32 compliance with this restriction.

33 A special minor's farm license is subject to suspension
34 or revocation for the same reasons and in the same manner
35 as suspension or revocation of any other driver's license.

1 The DOT may also suspend a special minor's farm license upon
2 receiving satisfactory evidence that the licensee has violated
3 the restrictions of the license or has been involved in one
4 or more accidents chargeable to the licensee. The DOT can
5 suspend a special minor's farm license upon receiving a record
6 of the licensee's conviction for one violation and must revoke
7 the license upon receiving a record of conviction for two or
8 more violations of a law of this state or a city ordinance
9 regulating the operation of motor vehicles on highways other
10 than parking violations. After a licensee receives two or more
11 convictions which require revocation of the license, the DOT
12 must not grant an application for a new driver's license until
13 the expiration of 30 days.

14 A person who violates the restrictions imposed by a special
15 minor's farm license may be issued a citation under the
16 provisions of the bill, punishable by a scheduled fine of \$50,
17 but shall not be issued a citation under Code section 321.193.
18 The violation shall not be considered a moving violation.

19 The bill makes conforming changes to Code sections 321.177,
20 321.178, 321.180B, 321.191, 321.213, 321.482A, and 321A.17. A
21 person convicted of violating the provisions of the bill that
22 causes serious injury or death to another person is subject to
23 additional penalties.