Senate File 2094 - Introduced

SENATE FILE 2094
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 3002)

(COMpanion TO HF 2104 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:
Section 1. Section 321.177, subsection 1, Code 2020, is amended to read as follows:

1. To any person who is under the age of eighteen years except as provided in section 321.180B. However, the department may issue a driver’s license to certain minors as provided in section 321.178, or 321.194, or 321.194A, or a driver’s license restricted to motorized bicycles as provided in section 321.189.

Sec. 2. Section 321.178, subsection 1, paragraph e, Code 2020, is amended to read as follows:
e. Any person who successfully completes an approved driver education course at a private or commercial driver education school licensed by the department shall likewise be eligible for a driver’s license as provided in section 321.180B, or 321.194, or 321.194A.

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

Persons under age eighteen shall not be issued a license or permit to operate a motor vehicle except under the provisions of this section. However, the department may issue restricted and special driver’s licenses to certain minors as provided in sections 321.178, and 321.194, and 321.194A, and driver’s licenses restricted to motorized bicycles as provided in section 321.189. A license or permit shall not be issued under this section or section 321.178, or 321.194, or 321.194A without the consent of a parent or guardian or a person having custody of the applicant under chapter 232 or 600A. An additional consent is required each time a license or permit is issued under this section or section 321.178, or 321.194, or 321.194A. The consent must be signed by at least one parent, guardian, or custodian on an affidavit form provided by the department.

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

6. Special minor’s licenses. Notwithstanding
subsection 2, the fee for a driver’s license issued to a minor under section 321.194 or 321.194A or a restricted license issued to a minor under section 321.178, subsection 2, is eight dollars.

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

b. As used in this subsection, “to upgrade a license class privilege” means to add any privilege to a valid driver’s license. The addition of a privilege includes converting from a noncommercial to a commercial license, converting from a noncommercial class C to a class D license, converting an instruction or learner’s permit to a class license, adding any privilege to a section 321.189, subsection 7, license, adding an instruction or learner’s permit privilege, adding a section 321.189, subsection 7, license to an instruction or learner’s permit, and adding any privilege relating to a driver’s license issued to a minor under section 321.178, 321.194, or 321.178 321.194A.

Sec. 6. NEW SECTION. 321.194A Special minor’s farm license.

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

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

b. The person has successfully completed an approved driver education course. However, the completion of a course is not required if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant as determined by rules adopted by
The person's parent or guardian has certified to the department, pursuant to subsection 3, that the person lives on a farm or is employed for compensation on a farm in this state and that a need exists for the license.

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

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

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

   b. Restrictions.

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

   (2) Electronic communication devices. A person issued a driver's license under this section shall not use an electronic communication device or an electronic entertainment device while driving a motor vehicle unless the motor vehicle is at a
complete stop off the traveled portion of the roadway. This subparagraph does not apply to the use of electronic equipment which is permanently installed in the motor vehicle or to a portable device which is operated through permanently installed equipment. The department, in cooperation with the department of public safety, shall establish educational programs to foster compliance with the requirements of this subparagraph.

3. Certification of need and issuance of license.

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

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

4. Suspension and revocation. A driver's license issued under this section is subject to suspension or revocation for the same reasons and in the same manner as suspension or revocation of any other driver's license. The department may also suspend a driver's license issued under this section upon receiving satisfactory evidence that the licensee has violated the restrictions of the license or has been involved in one or more accidents chargeable to the licensee. The department may suspend a driver's license issued under this section upon receiving a record of the licensee's conviction for one violation. The department shall revoke the license upon receiving a record of conviction for two or more violations of a law of this state or a city ordinance regulating the operation of motor vehicles on highways other than parking violations as defined in section 321.210. After a person licensed under this section receives two or more convictions which require revocation of the person's license under this section, the department shall not grant an application for a
new driver’s license until the expiration of thirty days.  

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

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

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

Upon the entering of a dispositional order suspending or revoking the driver’s license or operating privileges of the juvenile under section 232.52, subsection 2, paragraph “a”, the clerk of the juvenile court shall forward a copy of the adjudication and the dispositional order to the department. Notwithstanding section 232.55, a final adjudication in a juvenile court that the child violated a provision of this chapter or chapter 321A or 321J constitutes a final conviction for purposes of section 321.189, subsection 7, paragraph “b”, and sections 321.193, 321.194, 321.194A, 321.200, 321.209, 321.210, 321.215, 321.555, 321A.17, 321J.2, 321J.3, and 321J.4.  

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

or the death of another person may be subject to the following
penalties in addition to the penalty provided for a scheduled
violation in section 805.8A or any other penalty provided by
law:

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

4. An individual applying for a driver’s license following a
period of suspension or revocation pursuant to a dispositional
order issued under section 232.52, subsection 2, paragraph
“a”, or under section 321.180B, section 321.210, subsection
1, paragraph “a”, subparagraph (4), or section 321.210A,
321.213A, 321.213B, 321.216B, or 321.513, following a period
of suspension or revocation under section 321.178 or 321.194,
or 321.194A or following a period of revocation pursuant to a
court order issued under section 321J.2A, is not required to
maintain proof of financial responsibility under this section.

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

NEW PARAGRAPH. Oh. Section 321.194A.............. $50.

EXPLANATION

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

This bill allows the department of transportation (DOT)
to issue a class C or M driver’s license to a person between
the ages of 14 and 18 years who resides on a farm in this
state or is employed for compensation on a farm in this state.
The bill includes many provisions applicable to the special
minor’s farm license that are similar to the requirements for
a special minor’s license under Code section 321.194. To be
eligible, the person must not have had their driving privileges
suspended, revoked, or barred pursuant to Code chapters 321 or
321J and not have been convicted of a moving traffic violation
or involved in a motor vehicle accident for the six-month
period immediately preceding the application for the special
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.
The DOT may also suspend a special minor’s farm license upon receiving satisfactory evidence that the licensee has violated the restrictions of the license or has been involved in one or more accidents chargeable to the licensee. The DOT can suspend a special minor’s farm license upon receiving a record of the licensee’s conviction for one violation and must revoke the license upon receiving a record of conviction for two or more violations of a law of this state or a city ordinance regulating the operation of motor vehicles on highways other than parking violations. After a licensee receives two or more convictions which require revocation of the license, the DOT must not grant an application for a new driver’s license until the expiration of 30 days.

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

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