

Senate Study Bill 3108 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON KAPUCIAN)

A BILL FOR

1 An Act relating to peace officers and retired peace officers
2 who provide street or highway driving instruction.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.178, subsection 1, paragraph b,
2 subparagraph (2), subparagraph division (a), Code 2020, is
3 amended to read as follows:

4 (a) To be qualified to provide street or highway driving
5 instruction, a person shall be certified by the department and
6 authorized by the board of educational examiners. However, if
7 the person is a peace officer, as defined in section 801.4,
8 subsection 11, paragraph "a", "b", "c", or "h", with five or
9 more years of experience as a peace officer, or a retired
10 peace officer who holds a driver's license that is valid for
11 more than two years from the date of issuance, the person
12 shall not be required to be certified by the department or
13 authorized by the board of educational examiners and shall be
14 exempt from any driving instructor preparation requirements.
15 A person shall not be required to hold a current Iowa teacher
16 or administrator license at the elementary or secondary level
17 or to have satisfied the educational requirements for an Iowa
18 teacher license at the elementary or secondary level in order
19 to be certified by the department or authorized by the board
20 of educational examiners to provide street or highway driving
21 instruction. For purposes of this subparagraph division,
22 "retired peace officer" means a person retired under [chapter 97A](#)
23 or [411](#), or [section 97B.49B](#) or [97B.49C](#), after service as a peace
24 officer, as defined in [section 801.4, subsection 11](#), paragraph
25 "a", "b", "c", or "h".

26 EXPLANATION

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

29 Under current law, to be qualified to provide street or
30 highway driving instruction, a person must be certified by the
31 department of transportation (DOT) and authorized by the board
32 of educational examiners; however, certain peace officers and
33 retired peace officers are not required to be authorized by
34 the board of educational examiners. This bill provides that
35 certain peace officers and retired peace officers need not be

1 certified by the DOT. Current DOT administrative rules also
2 provide certain instructor preparation requirements for driving
3 instructors. The bill exempts certain peace officers and
4 retired peace officers from those requirements.

5 Under Code section 801.4(11)(a, b, c, and h), a peace officer
6 includes sheriffs and their regular deputies who are subject to
7 mandated law enforcement training, marshals and police officers
8 of cities, peace officer members of the department of public
9 safety, and employees of the DOT designated as peace officers.
10 A retired peace officer is a person retired under Code chapter
11 97A or 411, or Code section 97B.49B or 97B.49C, after service
12 as a peace officer.