

House File 2463 - Introduced

HOUSE FILE 2463

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 612)

A BILL FOR

1 An Act relating to the driving privileges of persons under
2 eighteen years of age, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.52, subsection 2, paragraph a,
2 subparagraph (4), subparagraph division (b), Code 2024, is
3 amended to read as follows:

4 (b) The child may be issued a temporary restricted license
5 or ~~school~~ special minor's restricted license if the child is
6 otherwise eligible.

7 Sec. 2. Section 321.1, subsection 20A, Code 2024, is amended
8 to read as follows:

9 20A. "Driver's license" means any license or permit issued
10 to a person to operate a motor vehicle on the highways of
11 this state, including but not limited to a restricted work,
12 special minor's restricted, temporary restricted, or temporary
13 license and an instruction, chauffeur's instruction, commercial
14 learner's, or temporary permit. For purposes of license
15 suspension, revocation, bar, disqualification, cancellation, or
16 denial under [this chapter](#) and [chapters 321A, 321C, and 321J](#),
17 "driver's license" includes any privilege to operate a motor
18 vehicle.

19 Sec. 3. Section 321.178, subsection 2, Code 2024, is amended
20 to read as follows:

21 2. Restricted work license.

22 a. (1) A person between sixteen and eighteen years of age
23 who has completed an approved driver education course and is
24 not in attendance at school and has not met the requirements
25 described in [section 299.2, subsection 1](#), may be issued a
26 restricted work license only for travel to and from work or to
27 transport dependents to and from temporary care facilities,
28 if necessary for the person to maintain the person's present
29 employment. The restricted work license shall be issued by the
30 department only upon confirmation of the person's employment
31 and need for a restricted work license to travel to and from
32 work or to transport dependents to and from temporary care
33 facilities if necessary to maintain the person's employment.
34 The employer shall notify the department if the employment of
35 the person is terminated before the person attains the age of

1 eighteen.

2 (2) (a) A person issued a restricted work license
3 under this ~~section~~ subsection shall not use an electronic
4 communication device or an electronic entertainment device
5 while driving a motor vehicle unless the motor vehicle is at a
6 complete stop off the traveled portion of the roadway. This
7 subparagraph division does not apply to the use of electronic
8 equipment which is permanently installed in the motor vehicle
9 or to a portable device which is operated through permanently
10 installed equipment.

11 (b) The department, in cooperation with the department of
12 public safety, shall establish educational programs to foster
13 compliance with the requirements of subparagraph division (a).

14 *b.* The department may suspend a restricted ~~driver's~~ work
15 license issued under this ~~section~~ subsection upon receiving
16 satisfactory evidence that the licensee has violated the
17 restrictions imposed under paragraph "a", subparagraph (2),
18 subparagraph division (a). The department may also suspend a
19 restricted work license issued under this ~~section~~ subsection
20 upon receiving a record of the person's conviction for one
21 violation and shall revoke the license upon receiving a record
22 of conviction for two or more violations of a law of this state
23 or a city ordinance regulating the operation of motor vehicles
24 on highways, other than parking violations as ~~defined~~ described
25 in [section 321.210](#). After revoking a restricted work license
26 under this ~~section~~ paragraph, the department shall not grant an
27 application for a new driver's license or instruction permit
28 until the expiration of one year or until the person attains
29 the age of eighteen, whichever is the longer period.

30 *c.* A person who violates the restrictions imposed under
31 paragraph "a", subparagraph (2), subparagraph division (a),
32 may be issued a citation under [this section](#) and shall not be
33 issued a citation under [section 321.193](#). A violation of the
34 restrictions imposed under paragraph "a", subparagraph (2),
35 subparagraph division (a), shall not be considered a moving

1 violation.

2 Sec. 4. Section 321.180B, unnumbered paragraph 1, Code
3 2024, is amended to read as follows:

4 Persons under age eighteen shall not be issued a license or
5 permit to operate a motor vehicle except under the provisions
6 of [this section](#). However, the department may issue restricted
7 work and special driver's minor's restricted licenses to
8 certain minors as provided in [sections 321.178](#) and [321.194](#), and
9 driver's licenses restricted to motorized bicycles as provided
10 in [section 321.189](#). A person shall not be issued a license or
11 permit to operate a motor vehicle if prohibited under section
12 321.194, subsection 7. A license or permit shall not be issued
13 under [this section](#) or [section 321.178](#) or [321.194](#) without the
14 consent of a parent or guardian or a person having custody of
15 the applicant under [chapter 232](#) or [600A](#). An additional consent
16 is required each time a license or permit is issued under this
17 section or [section 321.178](#) or [321.194](#). The consent must be
18 signed by at least one parent, guardian, or custodian on an
19 affidavit form provided by the department.

20 Sec. 5. Section 321.191, subsection 6, Code 2024, is amended
21 to read as follows:

22 6. ~~*Special minors'*~~ *Minors' restricted licenses.*

23 Notwithstanding [subsection 2](#), the fee for a ~~driver's~~ special
24 minor's restricted license issued to a minor under section
25 321.194 or a restricted work license issued to a minor under
26 section 321.178, subsection 2, is eight dollars.

27 Sec. 6. Section 321.194, Code 2024, is amended by striking
28 the section and inserting in lieu thereof the following:

29 **321.194 Special minor's restricted license.**

30 1. *Application — persons eligible.* The department may
31 issue a special minor's restricted license to an applicant
32 under the age of sixteen if the applicant meets all of the
33 following conditions:

34 a. The applicant holds an instruction permit issued by the
35 department in accordance with section 321.180B, or a comparable

1 permit issued by another state.

2 *b.* The applicant has successfully completed an approved
3 driver education course. However, the completion of a
4 course is not required if the applicant demonstrates to the
5 satisfaction of the department that completion of the course
6 would impose a hardship upon the applicant. The department
7 shall adopt rules defining the term "*hardship*" and establishing
8 procedures for the demonstration and determination of when
9 completion of the course would impose a hardship upon an
10 applicant.

11 *c.* The applicant submits a certification from the
12 applicant's school certifying the applicant is enrolled at
13 the school for courses of instruction or extracurricular
14 activities.

15 2. *Consent — employment.* Prior to being authorized to
16 operate a motor vehicle unsupervised to a place of employment
17 or a location for farm-related work while employed to work on a
18 farm, the applicant's parent or guardian must submit written
19 consent for the applicant to operate a motor vehicle for such
20 purposes. The written consent must include the name and
21 address of the applicant's place of employment, or primary farm
22 location, as applicable. The parent or guardian of a licensee
23 must update the place of employment information if the place
24 of employment changes prior to the licensee being authorized
25 to operate a motor vehicle unsupervised to a new place of
26 employment.

27 3. *Persons ineligible.* The department shall not issue a
28 special minor's restricted license to an applicant if any of
29 the following occurred during the six-month period immediately
30 preceding the application:

31 *a.* The applicant's driving privileges have been suspended,
32 revoked, or barred under this chapter or chapter 321J.

33 *b.* The applicant was at fault for causing an accident or
34 collision.

35 *c.* The applicant has been convicted of a violation of a

1 law of this state or a city ordinance regulating the operation
2 of motor vehicles on highways other than parking violations as
3 described in section 321.210.

4 4. *License privileges.*

5 a. The department shall classify the special minor's
6 restricted license as a class C or class M license, as
7 applicable. A licensee is entitled to operate a motor vehicle
8 as provided in this section, other than a commercial motor
9 vehicle, a motor vehicle with more than two axles, a motor
10 vehicle towing another vehicle, or as a chauffeur.

11 b. A licensee may operate a motor vehicle unsupervised over
12 the most direct and accessible route between the licensee's
13 residence, school of enrollment, place of employment, location
14 for farm work or farm-related work if the licensee resides on a
15 farm or is employed for compensation on a farm in this state,
16 and the closest service station, for any of the following
17 purposes, as applicable, provided the driving distance between
18 the point of origin and the destination is no more than
19 twenty-five miles, and the licensee is in immediate possession
20 of the license card:

21 (1) To return to the licensee's residence following the
22 end of the licensee's duly scheduled courses of instruction,
23 extracurricular activities, work shift, farm work, or
24 farm-related work, as applicable.

25 (2) To attend duly scheduled courses of instruction.
26 However, a licensee who attends a public school and resides
27 within that public school district may operate a motor vehicle
28 between the licensee's residence and school regardless of the
29 distance.

30 (3) To participate in extracurricular activities.

31 (4) To complete a scheduled work shift, if approved by the
32 licensee's parent or guardian pursuant to subsection 2.

33 (5) For the purpose of assisting the person's parents,
34 guardians, or employers with farm work or in connection with
35 any farm job, employment, or other farm-related work, including

1 traveling to or from the location of the farm work, if the
2 licensee resides on a farm or is employed for compensation on
3 a farm in this state. If employed, the licensee's parent or
4 guardian must provide consent pursuant to subsection 2.

5 (6) For the purpose of refueling the motor vehicle being
6 operated.

7 5. *Restrictions.* Unless accompanied and supervised in
8 accordance with section 321.180B, subsection 1, a licensee
9 shall not do any of the following:

10 a. Operate the motor vehicle except during the hour
11 before and after the beginning and end of the licensee's duly
12 scheduled courses of instruction, extracurricular activities,
13 work shift, farm work, or farm-related work, as applicable.

14 b. Transport more than one unrelated minor passenger in the
15 motor vehicle when the licensee is operating the motor vehicle.
16 For purposes of this paragraph, "*unrelated minor passenger*"
17 means a passenger who is under eighteen years of age and who is
18 not a sibling of the driver, a stepsibling of the driver, or a
19 child who resides in the same household as the driver.

20 c. Operate the motor vehicle on a highway except as
21 authorized under subsection 4, paragraph "b".

22 d. Use an electronic communication device or an electronic
23 entertainment device while operating a motor vehicle unless the
24 motor vehicle is at a complete stop off the traveled portion
25 of the roadway. This paragraph does not apply to the use
26 of electronic equipment which is permanently installed in
27 the motor vehicle or to a portable device which is operated
28 through permanently installed equipment. The department,
29 in cooperation with the department of public safety, shall
30 establish educational programs to foster compliance with the
31 requirements of this paragraph.

32 e. Operate a motor vehicle to the licensee's place of
33 employment or location for farm work or farm-related work
34 unless the licensee's parent or guardian submitted written
35 consent to the department in accordance with subsection 2.

1 6. *Certification.* The department shall prescribe a
2 certification form. If the applicant is enrolled at a school
3 for courses of instruction or extracurricular activities, the
4 applicant's school shall certify that fact on the certification
5 form, which must also include a statement that the person
6 signing the certificate is not responsible for actions of the
7 applicant which pertain to the use of the special minor's
8 restricted license.

9 a. If the applicant attends a public school, the
10 certification must be made by the school board, superintendent
11 of the applicant's school, or principal, if authorized by the
12 superintendent.

13 b. If the applicant attends an accredited nonpublic
14 school, the certification must be made by the authorities in
15 charge of the accredited nonpublic school or a duly authorized
16 representative of the authorities.

17 7. *License sanctions.*

18 a. A special minor's restricted license issued under this
19 section is subject to suspension, revocation, or other sanction
20 for the same reasons and in the same manner as suspension or
21 revocation of any other driver's license, and as provided in
22 this section. The department shall suspend a special minor's
23 restricted license for three months, as follows:

24 (1) Upon receiving satisfactory evidence that the licensee
25 violated the restrictions of the license or was at fault in an
26 accident or collision.

27 (2) Upon receiving a record of the licensee's conviction
28 for one violation of a law of this state or a city ordinance
29 regulating the operation of motor vehicles on highways other
30 than parking violations as described in section 321.210.

31 b. As a result of the suspension, the department shall
32 not issue an intermediate license under section 321.180B for
33 an additional three months to a person whose special minor's
34 restricted license was suspended under this subsection, per
35 violation, following the person's sixteenth birthday.

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

6 9. *Definitions.* As used in this section:

7 a. *"Place of employment"* means the fixed location of an
8 employer who employs a person under sixteen years of age in
9 accordance with chapter 92, and is the only location at which
10 the person is authorized to work for the employer.

11 b. *"Residence"* means the place where a person resides,
12 permanently or temporarily. A person may have up to three
13 different residences for purposes of this section, if the
14 person's parent or guardian provides written consent of the
15 additional residences to the department.

16 c. *"School"* means a public school or an accredited nonpublic
17 school, and includes facilities operated by a public or
18 accredited nonpublic school for the purposes of educational or
19 extracurricular activities.

20 10. *Rules.* The department may adopt rules pursuant to
21 chapter 17A to administer this section.

22 Sec. 7. Section 321.213B, Code 2024, is amended to read as
23 follows:

24 **321.213B Suspension for failure to attend.**

25 The department shall establish procedures by rule for
26 suspending the license of a juvenile who has been issued a
27 driver's license and is not in compliance with the requirements
28 of [section 299.1B](#) ~~or~~ and issuing the juvenile a restricted work
29 license under [section 321.178](#).

30 Sec. 8. Section 321.482A, unnumbered paragraph 1, Code
31 2024, is amended to read as follows:

32 Notwithstanding [section 321.482](#), a person who is convicted
33 of operating a motor vehicle in violation of section 321.178,
34 subsection 2, paragraph "a", subparagraph (2), section
35 321.180B, subsection 6, section 321.194, subsection 2 5,

1 paragraph ~~"b"~~ "d", subparagraph ~~(2)~~, section 321.256, 321.257,
2 section 321.275, subsection 4, section 321.276, 321.297,
3 321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306,
4 321.307, 321.311, 321.319, 321.320, 321.321, 321.322, 321.323,
5 321.324, 321.324A, 321.327, 321.329, 321.333, section 321.372,
6 subsection 3, or section 321.449B, causing serious injury to
7 or the death of another person may be subject to the following
8 penalties in addition to the penalty provided for a scheduled
9 violation in section 805.8A or any other penalty provided by
10 law:

11 Sec. 9. PREVIOUSLY ISSUED SPECIAL MINOR'S LICENSES. A
12 person who holds a special minor's license that was issued
13 under section 321.194, Code 2024, before the effective date of
14 this Act may continue to operate a motor vehicle in accordance
15 with this Act on and after the effective date of this Act.
16 However, a person who was issued a special minor's license
17 under section 321.194, Code 2024, prior to the effective date
18 of this Act shall not operate a motor vehicle unaccompanied
19 to the person's place of employment until after the person's
20 parent or guardian provides written consent to the department
21 in accordance with section 321.194, subsection 2, as enacted
22 by this Act.

23 EXPLANATION

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

26 In 2023, the general assembly requested the formation
27 of an interim study committee to examine policy matters
28 and make recommendations on statutory changes relating to
29 licensed driving by persons between 14 and 18 years of age
30 (2023 Iowa Acts, chapter 92, section 23) and the legislative
31 council established the minor driver's license interim study
32 committee for that purpose. Other than the farm-work-specific
33 provisions, this bill reflects the committee's unanimous
34 recommendations.

35 Current law requires the department of transportation (DOT)

1 to implement a graduated driver's license process which places
2 driving restrictions for young and inexperienced drivers,
3 and removes restrictions as the driver ages and gains more
4 experience. Beginning at age 14, a person may drive while
5 accompanied. When a person turns 16, the person is eligible to
6 receive an intermediate driver's license that authorizes the
7 holder to drive without an accompanying qualified person, but
8 subject to other specified restrictions. The DOT is authorized
9 to issue special permits and licenses to persons under the age
10 of 18, including a special minor's license which authorizes
11 unsupervised driving and can be issued to a person 14 years
12 old.

13 Under current law, a special minor's license entitles a
14 person between the ages of 14 and 18 (student driver) to
15 operate a motor vehicle without adult supervision (drive)
16 from the student driver's residence to the student driver's
17 school or school bus stop or public transportation service, up
18 to 50 miles or more if the student driver drives to a school
19 within the school district of enrollment or within a school
20 district contiguous to the school district of enrollment. The
21 bill authorizes the DOT to instead issue a special minor's
22 restricted license that entitles a person under the age of
23 16 (licensee) to drive from the licensee's residence to the
24 licensee's school, up to 25 miles, or more if the licensee
25 attends a public school and resides within the public school
26 district. To distinguish between licenses, the bill renames
27 the restricted license issued for work activities of minors
28 under current law to the restricted work license.

29 Under the bill, an applicant for a special minor's
30 restricted license must hold an instruction permit issued by
31 the DOT or a comparable permit issued by another state, have
32 already successfully completed an approved driver education
33 course prior to applying, and submit a certification from
34 the applicant's school certifying the applicant is enrolled
35 at the school for courses of instruction or extracurricular

1 activities. However, the completion of a course is not
2 required if the applicant demonstrates to the satisfaction of
3 the DOT that completion of the course would impose a hardship
4 upon the applicant. "Hardship" is defined by the DOT in
5 administrative rules and generally relates to the timing of
6 the applicant's school offering a driver education course,
7 depending on the age of the applicant (761 IAC 602.26(3)).

8 The DOT is prohibited from issuing a special minor's
9 restricted license to an applicant if the applicant's driving
10 privileges have been sanctioned, if the applicant was at fault
11 for causing an accident or collision, or if the applicant has
12 been convicted of a traffic violation.

13 The bill retains current law requiring a licensee to operate
14 upon the most direct and accessible route between approved
15 locations, including the closest service station for the
16 purpose of refueling a vehicle. The bill also does not reduce
17 or alter the driving privileges of a licensee when driving with
18 supervision in accordance with Code section 321.180B.

19 Current law distinguishes between a public school and
20 accredited nonpublic school as it relates to where a student
21 driver is authorized to drive unsupervised. The bill instead
22 authorizes a licensee to drive to school regardless of whether
23 the school is public or accredited nonpublic. However, if a
24 licensee attends a public school and resides within the public
25 school district, there is no limit to the distance the licensee
26 may drive to school, provided that the licensee uses the most
27 direct and accessible route.

28 Under current law, a student driver who resides on a farm or
29 is employed for compensation on a farm may drive up to 50 miles
30 for the purpose of assisting the person's parents, guardians,
31 or employers with farm work or in connection with any farm job,
32 employment, or other farm-related work, including traveling to
33 or from the location of the farm work. The bill retains this
34 farm-work authorization, but limits the driving distance to 25
35 miles. The bill also authorizes a licensee to drive up to 25

1 miles to the licensee's place of employment for other types
2 of work performed in accordance with Code chapter 92 (child
3 labor), but does not authorize a licensee to drive as part of
4 the licensee's nonfarm-related employment. A licensee's parent
5 or guardian must provide the DOT with written consent for the
6 licensee to drive to work, including farm work.

7 Current law authorizes a student driver to drive to approved
8 locations between the hours of 5:00 a.m. and 10:00 p.m. The
9 bill instead prohibits a licensee from driving except for one
10 hour before and after the school event, work shift, or farm
11 work.

12 The bill retains current prohibitions against transporting
13 more than one unrelated minor as a passenger and using an
14 electronic communication device or electronic entertainment
15 device while driving.

16 The bill replaces the current requirement for schools to
17 certify that a special need exists for the DOT to issue a
18 special minor's license, and instead requires an applicant's
19 school to certify that the applicant is enrolled as a
20 student. The bill does not retain the one-mile presumption
21 of nonexistence of special need for the license or the appeal
22 process, as the bill no longer requires a school to make that
23 determination.

24 The bill requires the DOT to suspend a licensee's license for
25 three months if the licensee violates the license restrictions,
26 is at fault for causing an accident or collision, or is
27 convicted of violating any other traffic law. The DOT is
28 also prohibited from issuing an intermediate driver's license
29 for three months beyond when a person would otherwise be
30 eligible for the license, normally at age 16, under Code
31 section 321.180B. The bill does not retain the option for the
32 DOT to revoke a special minor's license following a second
33 violation. The bill retains the same provision for violators
34 of the license restrictions to be issued a citation under
35 the bill instead of a citation under Code section 321.193

1 (restrictions on licenses). Contrary to current law, the
2 bill makes a violation of the license restrictions a moving
3 violation. Moving violations may be considered for purposes of
4 administrative suspension of a driver's license or to establish
5 habitual offender status.

6 The DOT is authorized to adopt rules to administer the bill.

7 The bill does not require a person who holds a special
8 minor's license that was issued before the effective date of
9 the bill to apply for a new license. Instead, a licensee may
10 continue to operate a motor vehicle in accordance with the
11 bill. However, a person who was issued a special minor's
12 license prior to the effective date of the bill is prohibited
13 from driving unaccompanied to the person's place of employment
14 until after the person's parent or guardian provides written
15 consent to the DOT in accordance with the bill.

16 By operation of law, a person who violates a restriction
17 imposed on a special minor's restricted license commits a
18 simple misdemeanor punishable by a \$70 scheduled fine. In
19 addition, if a person is convicted of using an electronic
20 communication device or electronic entertainment device and the
21 violation results in injury or death, the person is subject
22 to enhanced penalties. Under Code section 321.482A, if the
23 violation causes a serious injury, a court could impose an
24 additional fine of \$500 or suspend the person's driver's
25 license for not more than 90 days, or both. If the violation
26 causes a death, a court could impose an additional fine of
27 \$1,000 or suspend the person's driver's license for not more
28 than 180 days, or both.