

House File 36 - Introduced

HOUSE FILE 36

BY KRESSIG

A BILL FOR

1 An Act relating to requirements for and restrictions on special
2 minor's driver's licenses, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.194, subsection 2, paragraph a,
2 subparagraph (3), Code 2023, is amended by striking the
3 subparagraph and inserting in lieu thereof the following:

4 (3) If the licensee is employed, the licensee may operate a
5 motor vehicle during the hours of 5:00 a.m. to 10:00 p.m. over
6 the most direct and accessible route between the licensee's
7 residence or school of enrollment and the licensee's place
8 of employment, provided the driving distance between the
9 licensee's place of employment and the nearest point on the
10 route on which the licensee is authorized to travel under
11 subparagraph (1), subparagraph division (a), or subparagraph
12 (2), subparagraph division (a), is no more than fifty miles.

13 Sec. 2. Section 321.194, subsection 3, paragraph b, Code
14 2023, is amended to read as follows:

15 b. Upon receipt of a statement of necessity, the department
16 shall issue the driver's license provided the applicant is
17 otherwise eligible for issuance of the license. ~~The fact that
18 the applicant resides at a distance less than one mile from the
19 applicant's school of enrollment is prima facie evidence of
20 the nonexistence of necessity for the issuance of a license.
21 However, the distance between the applicant's residence and
22 school of enrollment shall not be considered if the applicant
23 resides on a farm or is employed for compensation on a farm.~~

24 EXPLANATION

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

27 Under current law, a person holding a special minor's
28 driver's license is allowed to operate a motor vehicle
29 during the hours of 5:00 a.m. to 10:00 p.m. between the
30 licensee's residence, schools of enrollment, bus stops, and
31 sites, facilities, or schools designated by the licensee's
32 district or school of enrollment for the accommodation of the
33 school's extracurricular activities, with certain limitations.
34 Additionally, if the licensee resides on a farm or is employed
35 for compensation on a farm in this state, the licensee is

1 authorized to operate a motor vehicle for the purpose of
2 assisting the licensee's parents, guardians, or employers with
3 farm work or in connection with any farm job, employment, or
4 other farm-related work, including traveling to or from the
5 location of the farm work, provided the licensee operates the
6 vehicle over the most direct and accessible route between the
7 point of origin and the destination and the driving distance
8 between the point of origin and the destination is no more than
9 50 miles. A licensee may also operate a motor vehicle to a
10 service station along the associated routes.

11 This bill strikes the farm work authorization and instead
12 authorizes a licensee who is employed to operate a motor
13 vehicle during the hours of 5:00 a.m. to 10:00 p.m. over
14 the most direct and accessible route between the licensee's
15 residence or school of enrollment and the licensee's place
16 of employment, provided the driving distance between the
17 licensee's place of employment and the nearest point on the
18 route on which the licensee is otherwise authorized to travel
19 is no more than 50 miles.

20 Under current law, an application for a special minor's
21 driver's license must be accompanied by a statement from
22 the applicant's school of enrollment certifying that a need
23 exists for the license. The fact that an applicant resides
24 at a distance less than one mile from the applicant's school
25 of enrollment is prima facie evidence of the nonexistence of
26 necessity for the issuance of the license. The bill strikes
27 the presumption of the nonexistence of necessity for an
28 applicant who lives less than one mile from the applicant's
29 school of enrollment.

30 A violation of Code section 321.194 is punishable by a
31 scheduled fine of \$70.