

**House Study Bill 26 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
TRANSPORTATION BILL)

**A BILL FOR**

1 An Act authorizing certain persons to administer the final  
2 field test of an approved driver education course.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.178, subsection 1, paragraph c, Code  
2 2023, is amended to read as follows:

3 c. Every public school district in Iowa shall offer  
4 or make available to all students residing in the school  
5 district, or Iowa students attending a nonpublic school or  
6 receiving competent private instruction or independent private  
7 instruction as defined in [section 299A.1](#), in the district, an  
8 approved course in driver education. The receiving district  
9 shall be the school district responsible for making driver  
10 education available to a student participating in open  
11 enrollment under [section 282.18](#). The courses may be offered  
12 at sites other than at the public school, including nonpublic  
13 school facilities within the public school districts. An  
14 approved course offered during the summer months, on Saturdays,  
15 after regular school hours during the regular terms or partly  
16 in one term or summer vacation period and partly in the  
17 succeeding term or summer vacation period, as the case may  
18 be, shall satisfy the requirements of [this section](#) to the  
19 same extent as an approved course offered during the regular  
20 school hours of the school term. A student who successfully  
21 completes and obtains certification in an approved course  
22 in driver education or an approved course in motorcycle  
23 education may, upon proof of such fact, be excused from any  
24 field test which the student would otherwise be required to  
25 take in demonstrating the student's ability to operate a motor  
26 vehicle. A student shall not be excused from any field test  
27 if a parent, guardian, or instructor requests that a test  
28 be administered. A final field test prior to a student's  
29 completion of an approved course shall be administered by a  
30 person qualified as ~~a classroom driver education instructor and~~  
31 ~~certified to provide street and~~ or ~~highway driving instruction~~  
32 under paragraph "b", subparagraph (2). ~~A person qualified as~~  
33 ~~a classroom driver education instructor but not certified to~~  
34 ~~provide street and highway driving instruction may administer~~  
35 ~~the final field test if accompanied by another person qualified~~

1 ~~to provide street and highway driving instruction.~~

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EXPLANATION

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

4

5 Under current law, a student driver can complete an approved  
6 driver education course which consists of both classroom  
7 instruction and street or highway driving instruction. Prior  
8 to completion of the course, a final field test must be  
9 administered by a person qualified as a classroom driver  
10 education instructor and certified to provide street and  
11 highway driving instruction.

12 To be qualified as a classroom driver education instructor,  
13 Code section 321.178 requires a person to have satisfied  
14 the educational requirements for a teaching license at the  
15 elementary or secondary level and hold a valid license to teach  
16 driver education in Iowa public schools. To be qualified to  
17 provide street or highway driving instruction, a person must be  
18 certified by the department of transportation and authorized  
19 by the board of educational examiners. However, if the person  
20 is a peace officer with five or more years of experience,  
21 or a retired peace officer who holds a driver's license that  
22 is valid for more than two years from the date of issuance,  
23 the person is not required to be authorized by the board of  
24 educational examiners.

25 This bill strikes the provisions relating to who may  
26 administer a final field test and authorizes a person who is  
27 qualified to provide street or highway driving instruction  
28 under current law to administer a final field test.