

**Senate File 542 - Introduced**

SENATE FILE 542  
BY COMMITTEE ON WORKFORCE

(SUCCESSOR TO SF 167)

**A BILL FOR**

1 An Act relating to youth employment and making penalties  
2 applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 92.3, Code 2023, is amended to read as  
2 follows:

3 **92.3 Under fourteen — work activities not permitted**  
4 **occupations.**

5 No person under fourteen years of age shall be employed  
6 or permitted to work with or without compensation in any  
7 ~~occupation, except in the street occupations or migratory~~  
8 ~~labor occupations specified in section 92.1 work activity.~~  
9 ~~Any migratory laborer twelve to fourteen years of age may not~~  
10 ~~work prior to or during the regular school hours of any day of~~  
11 ~~any private or public school which teaches general education~~  
12 ~~subjects and which is available to such child.~~

13 Sec. 2. Section 92.4, Code 2023, is amended to read as  
14 follows:

15 **92.4 Under sixteen — permitted ~~occupations~~ work activities.**

16 No person under sixteen years of age shall be employed  
17 or permitted to work with or without compensation in any  
18 ~~occupation~~ work activity during regular school hours, except  
19 the following work activities:

20 1. Those persons legally out of school, if such status  
21 is verified by the submission of written proof to the labor  
22 commissioner.

23 2. Those persons working in a supervised school-work  
24 program.

25 3. Those persons between the ages of fourteen and sixteen  
26 enrolled in school on a part-time basis and who are required to  
27 work as a part of their school training.

28 ~~4. Fourteen and fifteen year old migrant laborers during~~  
29 ~~any hours when summer school is in session.~~

30 Sec. 3. Section 92.5, Code 2023, is amended to read as  
31 follows:

32 **92.5 ~~Fourteen and fifteen~~ — permitted ~~occupations~~ work**  
33 **activities.**

34 Persons fourteen ~~and fifteen~~ years of age may be employed or  
35 permitted to work in the following ~~occupations~~ work activities:

- 1 1. Retail, food service, and gasoline service  
2 establishments.
- 3 2. Office and clerical work, including operation of office  
4 machines.
- 5 3. Cashiering, selling, modeling, art work, work in  
6 advertising departments, window trimming, and comparative  
7 shopping.
- 8 4. Price marking and tagging by hand or by machine,  
9 assembling orders, packing, and shelving.
- 10 5. Bagging and carrying out customers' orders.
- 11 6. Errand and delivery work by foot, bicycle, and public  
12 transportation.
- 13 7. Cleanup work, including the use of vacuum cleaners and  
14 floor waxers, and maintenance of grounds.
- 15 8. Kitchen work and other work involved in preparing and  
16 serving food and beverages, including the cleaning using  
17 kitchen cleaning products with required personal protective  
18 equipment, operation of machines and devices used in the  
19 performance of such work, including but not limited to  
20 microwaves, dishwashers, toasters, dumb-waiters, popcorn  
21 poppers, milk shake blenders, and coffee grinders.
- 22 9. a. Work in connection with motor vehicles and trucks if  
23 confined to the following:
  - 24 (1) Dispensing gasoline and oil.
  - 25 (2) Courtesy service.
  - 26 (3) Car cleaning, washing, and polishing.
- 27 b. Nothing in this subsection shall be construed to include  
28 work involving the use of pits, racks, or lifting apparatus or  
29 involving the inflation of any tire mounted on a rim equipped  
30 with a removable retaining ring.
- 31 10. Cleaning vegetables and fruits, and wrapping, sealing,  
32 labeling, weighing, pricing, and stocking goods when performed  
33 in areas physically separate from areas where meat is prepared,  
34 for sale and outside including momentary work in freezers or  
35 and meat coolers.

1     11. Loading onto motor vehicles and unloading from motor  
2 vehicles of the light, non-power-driven hand tools and personal  
3 protective equipment that the minor will use as part of their  
4 employment at the work site. Such light tools include but are  
5 not limited to rakes, hand-held clippers, shovels, and brooms.  
6 Such light tools do not include items such as trash, sales  
7 kits, promotion items or items for sale, lawn mowers, or other  
8 power-driven lawn maintenance equipment.

9     12. Laundering.

10    13. Work in the production of seed, limited to removal of  
11 off-type plants and corn tassels and hand-pollinating from June  
12 1 through Labor Day.

13    14. Other work approved by the rules adopted pursuant to  
14 chapter 17A by the labor commissioner.

15    Sec. 4. Section 92.6, Code 2023, is amended to read as  
16 follows:

17    **92.6 Fourteen and fifteen — occupations work activities not**  
18 **permitted.**

19    1. Persons fourteen and fifteen years of age may not be  
20 employed in:

21    a. Any manufacturing ~~occupation~~ work activity.

22    b. Any mining ~~occupation~~ work activity.

23    c. Processing ~~occupations~~ work activities, except in a  
24 retail, food service, or gasoline service establishment in  
25 those specific ~~occupations~~ work activities expressly permitted  
26 under the provisions of [section 92.5](#).

27    d. ~~Occupations~~ Work activities requiring the performance  
28 of any duties in workrooms or work places where goods are  
29 manufactured, mined, or otherwise processed, except to the  
30 extent expressly permitted in retail, food service, or gasoline  
31 service establishments under the provisions of [section 92.5](#).

32    e. Public messenger service.

33    f. Operation or tending of hoisting apparatus or of any  
34 power-driven machinery, other than office machines and machines  
35 in retail, food service, and gasoline service establishments

1 which are specified in section 92.5 as machines ~~which~~ that such  
2 minors may operate in such establishments.

3 ~~g. Occupations~~ Work activities prohibited by rules adopted  
4 pursuant to chapter 17A by the labor commissioner.

5 ~~h. Occupations~~ Work activities in connection with the  
6 following, except office or sales work in connection with these  
7 ~~occupations work activities~~, not performed on transportation  
8 media or at the actual construction site:

9 (1) Transportation of persons or property by rail, highway,  
10 air, on water, pipeline, or other means.

11 (2) Warehousing and storage.

12 (3) Communications and public utilities.

13 (4) Construction, including repair.

14 ~~i.~~ Any of the following ~~occupations~~ work activities in a  
15 retail, food service, or gasoline service establishment:

16 (1) Work performed in or about boiler or engine rooms.

17 (2) Work in connection with maintenance or repair of the  
18 establishment, machines, or equipment.

19 (3) Outside window washing that involves working from  
20 window sills, and all work requiring the use of ladders,  
21 scaffolds, or their substitutes.

22 (4) Cooking except at soda fountains, lunch counters, snack  
23 bars, or cafeteria serving counters, and baking.

24 (5) ~~Occupations which~~ Work activities that involve  
25 operating, setting up, adjusting, cleaning, oiling, or  
26 repairing power-driven food slicers and grinders, food choppers  
27 and cutters, and bakery-type mixers.

28 ~~(6) Work in freezers and meat coolers and all work in~~  
29 ~~preparation of meats for sale, except wrapping, sealing,~~  
30 ~~labeling, weighing, pricing, and stocking when performed in~~  
31 ~~other areas.~~

32 ~~(7)~~ (6) Loading and unloading goods to and from trucks,  
33 railroad cars, or conveyors, except as permitted by section  
34 92.5, subsection 11.

35 ~~(8)~~ (7) All ~~occupations~~ work activities in warehouses

1 except office and clerical work.

2 ~~j. Laundering, except for the use of a washing machine~~  
3 ~~which has a capacity of less than ten cubic feet and which is~~  
4 ~~designed to reach an internal temperature which does not exceed~~  
5 ~~212 degrees Fahrenheit.~~

6 2. Nothing in **this section** shall be construed as prohibiting  
7 office, errand, or packaging work when done away from moving  
8 machinery.

9 Sec. 5. NEW SECTION. **92.6A Fifteen — permitted work**  
10 **activities.**

11 1. Persons fifteen years of age may be employed or permitted  
12 to work in any of the work activities provided in section 92.5  
13 in addition to the following work activities:

14 a. Loading and unloading non-power-driven equipment weighing  
15 up to thirty pounds into motor vehicles.

16 b. Loading and unloading groceries and other retail items  
17 weighing up to thirty pounds into motor vehicles.

18 c. Stocking shelves with items weighing up to thirty pounds.

19 d. If properly licensed, work as a lifeguard or swim  
20 instructor at a traditional swimming pool or amusement park.

21 2. The commissioner may issue a waiver of any weight  
22 limitations provided in subsection 1 of up to fifty pounds  
23 depending on the strength and ability of the fifteen-year-old.

24 3. The commissioner may issue a waiver for a  
25 fifteen-year-old to be able to load and unload light  
26 power-driven lawn machines based on the ability of the minor if  
27 the minor is supervised, the machine is powered off, and the  
28 safety key is stored away from the machine.

29 4. The commissioner may issue a waiver for a  
30 fifteen-year-old to perform light assembly work as long  
31 as the assembly is not performed on machines or in an area with  
32 machines.

33 Sec. 6. Section 92.7, Code 2023, is amended to read as  
34 follows:

35 **92.7 Under sixteen — hours permitted.**

1 A person under sixteen years of age shall not be employed  
2 with or without compensation, except as provided in sections  
3 ~~92.2~~ 92.5 and ~~92.3~~ 92.6A, before the hour of 7:00 a.m. or after  
4 ~~7:00~~ 9:00 p.m., except during the period from June 1 through  
5 Labor Day when the hours may be extended to ~~9:00~~ 11:00 p.m.  
6 If such person is employed for a period of five hours or more  
7 each day, an intermission of not less than thirty minutes shall  
8 be given. Such a person shall not be employed for more than  
9 eight hours in one day, exclusive of intermission, and shall  
10 not be employed for more than forty hours in one week. The  
11 hours of work of persons under sixteen years of age employed  
12 outside school hours shall not exceed ~~four~~ six in one day or  
13 twenty-eight in one week while school is in session.

14 Sec. 7. NEW SECTION. 92.7A Sixteen and seventeen — hours  
15 permitted.

16 A person who is sixteen or seventeen years of age may work  
17 the same hours as a person who is eighteen years of age.

18 Sec. 8. Section 92.8, Code 2023, is amended to read as  
19 follows:

20 **92.8 Under eighteen — prohibited ~~occupations~~ work**  
21 **activities.**

22 No person under eighteen years of age shall be employed  
23 or permitted to work with or without compensation at any  
24 of the following ~~occupations~~ work activities or business  
25 establishments:

26 1. ~~Occupations~~ Work activities in or about plants or  
27 establishments manufacturing or storing explosives or articles  
28 containing explosive components, except for the following:

29 a. Performing light assembly work as long as the assembly is  
30 not performed on machines or in an area with machines.

31 b. Selling or assisting in the sale of consumer fireworks in  
32 accordance with section 100.19.

33 ~~2. Occupations of motor vehicle driver and helper.~~

34 ~~3. 2. Logging occupations~~ Logging and occupations in  
35 the operation of any sawmill, lath mill, shingle mill, or

1 cooperage-stock mill.

2 ~~4. 3. Occupations involved in the operation~~ Operation of  
3 power-driven woodworking machines.

4 ~~5. 4. Occupations~~ Work activities involving exposure to  
5 radioactive substances and to ionizing radiations.

6 ~~6. 5. Occupations involved in the operation~~ Operation of  
7 elevators and other power-driven hoisting apparatus.

8 ~~7. 6. Occupations involved in the operation~~ Operation of  
9 power-driven metal forming, punching, and shearing machines.

10 ~~8. 7. Occupations in connection with mining~~ Mining.

11 ~~9. 8. Occupations~~ Work activities in or about slaughtering  
12 and meat packing establishments and rendering plants.

13 ~~10. 9. Occupations involved in the operation~~ Operation  
14 of certain power-driven bakery machines. Except as otherwise  
15 provided in [this subsection](#), [this subsection](#) does not apply to  
16 the operation of pizza dough rollers that are a type of dough  
17 sheeter that have been constructed with safeguards contained in  
18 the basic design so as to prevent fingers, hands, or clothing  
19 from being caught in the in-running point of the rollers,  
20 that have gears that are completely enclosed, and that have  
21 microswitches that disengage the machinery if the backs or  
22 sides of the rollers are removed, only when all the safeguards  
23 detailed in [this subsection](#) are present on the machinery, are  
24 operational, and have not been overridden. However, this  
25 subsection does apply to the setting up, adjusting, repairing,  
26 oiling, or cleaning of pizza dough rollers as described in this  
27 subsection.

28 ~~11. 10. Occupations involved in the operation~~ Operation of  
29 certain power-driven paper products machines, except loading  
30 balers if the machine is powered off and the key is stored in a  
31 separate area from the machine.

32 ~~12. 11. Occupations involved in the manufacture~~  
33 Manufacturing of brick, tile, and related products.

34 ~~13. 12. Occupations involved in the operation~~ Operation of  
35 circular saws, band saws, and guillotine shears.



1     ~~14.~~ 13. ~~Occupations involved in wrecking~~ Wrecking,  
2 demolition, and shipbreaking operations.  
3     ~~15.~~ 14. ~~Occupations involved in roofing~~ Roofing  
4 operations.  
5     ~~16.~~ 15. Excavation occupations.  
6     ~~17.~~ 16. ~~In~~ Work activities in or about foundries; provided  
7 that office, shipping, and assembly area employment shall not  
8 be prohibited by [this chapter](#).  
9     ~~18.~~ 17. ~~Occupations involving the operation~~ Operation of  
10 dry cleaning or dyeing machinery.  
11     ~~19.~~ 18. ~~Occupations~~ Work activities involving exposure to  
12 lead fumes or its compounds, or to dangerous or poisonous dyes  
13 or chemicals.  
14     ~~20.~~ 19. ~~Occupations involving the transmission~~  
15 Transmission, distribution, or delivery of goods or messages  
16 between the hours of 10:00 p.m. and 5:00 a.m.  
17     ~~21.~~ 20. ~~Occupations~~ Work activities prohibited by rules  
18 adopted pursuant to [chapter 17A](#) by the labor commissioner.  
19     Sec. 9. NEW SECTION. 92.8A **Approved career and technical**  
20 **education, work-based learning, internships, registered**  
21 **apprenticeship programs, and student learners.**  
22     1. The director of the department of workforce development  
23 or department of education may grant an exception from any  
24 provision of section 92.6, 92.7, or 92.8 for minors fourteen  
25 to seventeen years of age participating in work-based learning  
26 or a school or employer-administered, work-related program  
27 approved by the department of workforce development or the  
28 department of education if all of the following apply:  
29     a. The requestor demonstrates the activity will be performed  
30 under adequate supervision and training.  
31     b. The training includes adequate safety precautions.  
32     c. The terms and conditions of the proposed employment will  
33 not interfere with the health, well-being, or schooling of the  
34 minor enrolled in the approved program.  
35     d. The work is not prohibited under section 92.6, subsection

1 1, paragraph "b", or section 92.8, subsection 1, 2, 4, 7, 8, or  
2 18.

3 2. Section 92.8 shall not apply to a student in an approved  
4 work-based learning program, registered apprenticeship, career  
5 and technical education program, or student learner program  
6 provided the student is employed under all of the following  
7 conditions:

8 a. The student is employed in a craft recognized as an  
9 apprenticeable trade or the student is employed under a written  
10 employment agreement.

11 b. The work of the apprentice or student employee in the  
12 work activities declared particularly hazardous is incidental  
13 to the apprentice's training.

14 c. The work is intermittent and for short periods of time  
15 and is under the direct and close supervision of a qualified  
16 and experienced person.

17 d. Adequate on-the-job training and safety instructions are  
18 in place.

19 e. The work is not prohibited under section 92.8, subsection  
20 1, 2, 4, 7, 8, or 18.

21 3. A minor shall not perform work under this section  
22 unless the commissioner has on file written permission from  
23 the minor's parent, guardian, or legal custodian, and from the  
24 school administering the program or employer, for the minor to  
25 perform work under this section.

26 Sec. 10. Section 92.17, subsections 2 and 4, Code 2023, are  
27 amended by striking the subsections.

28 Sec. 11. Section 92.17, subsection 3, Code 2023, is amended  
29 to read as follows:

30 3. A child from working in any ~~occupation~~ work activity or  
31 business operated by the child's parents. For the purposes  
32 of this subsection, "child" and "parents" include a foster  
33 child and the child's foster parents who are licensed by the  
34 department of health and human services.

35 Sec. 12. Section 92.19, subsections 2 and 3, Code 2023, are

1 amended by striking the subsections.

2 Sec. 13. Section 92.20, subsection 1, Code 2023, is amended  
3 by striking the subsection.

4 Sec. 14. Section 92.21, subsection 1, Code 2023, is amended  
5 to read as follows:

6 1. The labor commissioner may adopt rules pursuant to  
7 chapter 17A to more specifically define the occupations work  
8 activities and equipment permitted or prohibited in this  
9 chapter, ~~to determine occupations for which work permits are~~  
10 ~~required,~~ and to issue general and special orders prohibiting  
11 or allowing the employment of persons under eighteen years  
12 of age in any place of employment defined in **this chapter** as  
13 hazardous to the health, safety, and welfare of the persons.

14 Sec. 15. Section 92.22, subsection 1, Code 2023, is amended  
15 to read as follows:

16 1. The labor commissioner shall enforce **this chapter**.  
17 An employer who violates **this chapter** or the rules adopted  
18 pursuant to **this chapter** is subject to a civil penalty of  
19 not more than ten thousand dollars for each violation. The  
20 commissioner may waive or reduce a civil penalty based on  
21 evidence the commissioner may obtain. The commissioner shall  
22 provide a fifteen-day grace period before imposing a civil  
23 penalty.

24 Sec. 16. Section 92.23, Code 2023, is amended to read as  
25 follows:

26 **92.23 Group insurance.**

27 Anyone under the age of eighteen and subject to **this chapter**  
28 employed in the ~~street occupations who sells or delivers work~~  
29 activities of selling or delivering the product or service  
30 of another and who is designated in such capacity as an  
31 independent contractor shall be provided participation, if the  
32 person under the age of eighteen desires it at group rate cost,  
33 in group insurance for medical, hospital, nursing, and doctor  
34 expenses incurred as a result of injuries sustained arising out  
35 of and in the course of selling or delivering such product or

1 service by the person, firm, or corporation whose product or  
2 service is so delivered.

3 Sec. 17. NEW SECTION. 92.24 Employer liability in  
4 work-based learning.

5 1. For purposes of this section, unless the context  
6 otherwise requires:

7 a. "Business" means any city, county, or township, including  
8 but not limited to a fire department or law enforcement  
9 office or department, public university, municipal university,  
10 community college, technical college or not-for-profit  
11 private postsecondary educational institution, corporation,  
12 association, partnership, proprietorship, limited liability  
13 company, limited partnership, limited liability partnership,  
14 organization or other legal entity, whether for-profit or  
15 not-for-profit, that does all of the following:

16 (1) Enters into an agreement with a school district for a  
17 work-based learning program.

18 (2) Directly supervises a student who is participating in  
19 the work-based learning program, either on the premises of the  
20 business or at another location.

21 b. "Work-based learning program" means a learning program to  
22 which all of the following apply:

23 (1) The program includes but is not limited to work-related,  
24 on-the-job training, job shadowing, internships, clinicals,  
25 practicums, registered apprenticeships, co-ops, supervised  
26 agricultural experiences, and industry-led service-learning  
27 projects.

28 (2) The program is incorporated into secondary coursework  
29 or related to a specific field of study.

30 (3) The program integrates knowledge and theory learned  
31 in the classroom or other school-approved setting with  
32 the practical application and development of skills and  
33 proficiencies in a professional work setting.

34 2. A business that accepts a secondary student in a  
35 work-based learning program shall not be subject to civil

1 liability for any claim for bodily injury to the student or  
2 sickness or death by accident of the student arising from  
3 the student's driving to or from the business or worksite to  
4 participate in the work-based learning program unless the  
5 student is acting within the course and scope of the student's  
6 employment at the direction of the business.

7 3. Any claim for bodily injury to the student or sickness or  
8 death by accident of the student arising from the business's  
9 negligent act or omission during the student's participation  
10 in the work-based learning program at the business or worksite  
11 shall be recovered exclusively under chapters 85, 85A, 85B, and  
12 86.

13 Sec. 18. Section 123.49, subsection 2, paragraph f, Code  
14 2023, is amended to read as follows:

15 f. Employ a person under eighteen years of age in the  
16 sale or serving of alcoholic beverages for consumption on  
17 the premises where sold. This paragraph shall not apply if  
18 the employer has on file written permission from the parent,  
19 guardian, or legal custodian of a person sixteen or seventeen  
20 years of age for the person to sell or serve alcoholic  
21 beverages for consumption on the premises where sold. The  
22 employer shall keep a copy of the written permission on file  
23 until the person is either eighteen years of age or no longer  
24 engaged in the sale of or serving alcoholic beverages for  
25 consumption on the premises where sold.

26 Sec. 19. Section 321.180B, subsection 1, paragraph c, Code  
27 2023, is amended by adding the following new subparagraph:

28 NEW SUBPARAGRAPH. (3) (a) If the permittee is employed,  
29 the permittee may operate a motor vehicle to and from work  
30 without an accompanying driver no earlier than forty-five  
31 minutes prior to the start of the permittee's work shift and no  
32 later than forty-five minutes after the end of the permittee's  
33 work shift, during the hours authorized under section 92.7,  
34 provided the driving distance between the point of origin  
35 and the destination is no more than twenty-five miles, the

1 location of the establishment is a fixed location and is the  
2 only location at which the permittee is authorized to work for  
3 the employer, the permittee carries the document required under  
4 subparagraph division (c) during travel, and the travel is for  
5 purposes of getting to or from the location for employment.

6 (b) If traveling without an accompanying driver, the  
7 permittee shall not transport any passengers.

8 (c) Before operating under this subparagraph, the permittee  
9 shall submit a document signed by the student's parent or  
10 guardian and the student's employer authorizing the permittee  
11 to operate under this subparagraph to the department.

12 Sec. 20. Section 321.180B, subsection 7, Code 2023, is  
13 amended to read as follows:

14 7. *Citations for violation of restrictions.* A person who  
15 violates the restrictions imposed under subsection 1, 2, or  
16 6 may be issued a citation under [this section](#) and shall not  
17 be issued a citation under [section 321.193](#). A Except for  
18 violations of subsection 1, paragraph "c", subparagraph (3), a  
19 violation of the restrictions imposed under subsection 1, 2,  
20 or 6 shall not be considered a moving violation. A violation  
21 of subsection 1, paragraph "c", subparagraph (3), shall be  
22 considered a moving violation.

23 Sec. 21. Section 805.8A, subsection 4, paragraph e, Code  
24 2023, is amended to read as follows:

25 e. (1) Section 321.180B, other than section 321.180B,  
26 subsection 1, paragraph "c", subparagraph (3)..... \$ 70.

27 (2) Section 321.180B, subsection 1, paragraph "c",  
28 subparagraph (3).....\$200.

29 Sec. 22. REPEAL. Sections 92.1, 92.2, 92.9, 92.10, 92.11,  
30 92.12, 92.13, 92.14, 92.15, 92.16, and 92.18, Code 2023, are  
31 repealed.

32 EXPLANATION

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

35 This bill relates to youth employment.

1 CHILD LABOR. The bill includes various amendments to  
2 Code chapter 92, relating to child labor. The bill strikes  
3 provisions providing for child labor permits and migrant  
4 child labor permits. The bill strikes provisions allowing  
5 certain children under 14 years of age to engage in street  
6 occupations. The bill modifies permitted and prohibited  
7 work that can be performed by minors 14 to 17 years of age,  
8 as well as hours in which work can be performed. The bill  
9 strikes penalties for certain actions taken in violation  
10 of Code chapter 92 to procure employment for oneself or  
11 of another person; other penalties for violations of Code  
12 chapter 92 are retained. Under current law, a violation  
13 of Code chapter 92 is generally a serious misdemeanor. A  
14 serious misdemeanor is punishable by confinement for no more  
15 than one year and a fine of at least \$430 but not more than  
16 \$2,560. The bill allows the labor commissioner to waive or  
17 reduce a civil penalty under Code chapter 92 based on evidence  
18 the commissioner may obtain and requires the commissioner to  
19 provide a 15-day grace period before imposing a civil penalty.  
20 Under current law, an employer violating Code chapter 92 is  
21 subject to a civil penalty of up to \$10,000. The bill changes  
22 terminology referring to "occupations" to instead refer to  
23 "work activities".

24 The bill allows the director of the department of workforce  
25 development or department of education to grant an exception  
26 from specified provisions of Code chapter 92 relating to  
27 prohibited work activities and work hours for minors 14 to 17  
28 years of age participating in work-based learning or a school  
29 or employer-administered, work-related program approved by  
30 the department of workforce development or the department of  
31 education if specified conditions apply. The bill provides  
32 that specified prohibitions on work activities are inapplicable  
33 to a student in an approved work-based learning program,  
34 registered apprenticeship, career and technical education  
35 program, or student learner program provided the student is

1 employed under specified conditions. A minor shall not perform  
2 work under these provisions unless the labor commissioner has  
3 on file written permission from the minor's parent, guardian,  
4 or legal custodian, and from the school administering the  
5 program or employer, for the minor to perform work under these  
6 provisions.

7 The bill provides that a business that accepts a secondary  
8 student in a work-based learning program shall not be subject  
9 to civil liability for any claim for bodily injury to the  
10 student or sickness or death by accident of the student arising  
11 from the student's driving to or from the business or worksite  
12 to participate in the work-based learning program unless the  
13 student is acting within the course and scope of the student's  
14 employment at the direction of the business. Any claim for  
15 bodily injury to the student or sickness or death by accident  
16 of the student arising from the business's negligent act or  
17 omission during the student's participation in the work-based  
18 learning program at the business or worksite shall be recovered  
19 exclusively under workers' compensation.

20 ALCOHOLIC BEVERAGES. The bill allows a person 16 to 17  
21 years of age to be employed in the sale or serving of alcoholic  
22 beverages for on-premises consumption under Code section 123.49  
23 if the employer has on file written permission from the parent,  
24 guardian, or legal custodian of the person. The employer shall  
25 keep a copy of the written permission on file until the person  
26 is either 18 years of age or no longer engaged in the sale of  
27 or serving alcoholic beverages.

28 A violation of Code section 123.49 is a simple misdemeanor.  
29 A simple misdemeanor is punishable by confinement for no more  
30 than 30 days and a fine of at least \$105 but not more than \$855.

31 MOTOR VEHICLE OPERATION. Under current law, persons  
32 age 14 to 18 may operate motor vehicles on highways under a  
33 graduated license under Code section 321.180B. Graduated  
34 licenses under Code section 321.180B include a three-step  
35 process from instruction permit to intermediate license to



1 full driver's license. Instruction permit holders (age 14 to  
2 18) must be accompanied by a certain type of licensed driver,  
3 such as a parent, at all times. For an intermediate license  
4 holder (age 16 or 17), an accompanying driver is not required  
5 between the hours of 5:00 a.m. and 12:30 a.m., or between the  
6 hours of 12:30 a.m. and 5:00 a.m. to and from school-related  
7 extracurricular activities and work if the licensee possesses a  
8 waiver.

9 The bill authorizes a person issued an instruction permit  
10 to drive to and from work without an accompanying driver no  
11 earlier than 45 minutes prior to the start of, and no later  
12 than 45 minutes after the end of, the person's work shift  
13 if the person is employed. The driving distance between the  
14 point of origin and the destination cannot exceed 25 miles, the  
15 location of the work establishment must be a fixed location  
16 and the only location at which the permittee is authorized to  
17 work for the employer, and the travel is required to be for  
18 purposes of getting to or from the location for employment. A  
19 permittee is not authorized to transport passengers without an  
20 accompanying driver.

21 To be authorized to drive to work, the permittee is required  
22 to submit a document signed by the student's parent or guardian  
23 and the student's employer authorizing the permittee to operate  
24 under the bill to the department of transportation. The  
25 permittee must carry the document during travel.

26 A violation of these provisions is punishable by a scheduled  
27 fine of \$200 and can result in suspension of the instruction  
28 permit. A violation is also considered a moving violation,  
29 and as such, may be considered for purposes of administrative  
30 suspension of a driver's license or to establish habitual  
31 offender status. Other violations of Code section 321.180B  
32 are not considered moving violations and are punishable by a  
33 scheduled fine of \$70.