

Senate File 2109 - Reprinted

SENATE FILE 2109
BY COMMITTEE ON WORKFORCE

(SUCCESSOR TO SSB 3097)

(As Amended and Passed by the Senate March 26, 2024)

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, or from the applicant's primary instructor if the
15 applicant receives competent private instruction or independent
16 private instruction.

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

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

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

35 *b.* The applicant was at fault for causing an accident or

1 collision.

2 *c.* The applicant has been convicted of a violation of a
3 law of this state or a city ordinance regulating the operation
4 of motor vehicles on highways other than parking violations as
5 described in section 321.210.

6 4. *License privileges.*

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

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

25 (1) To return to the licensee's residence following the
26 end of the licensee's duly scheduled courses of instruction,
27 extracurricular activities, work shift, farm work, or
28 farm-related work, as applicable.

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

34 (3) To participate in extracurricular activities. If
35 the licensee receives independent private instruction and

1 participates in an extracurricular activity at another school,
2 the licensee may drive to the location of the extracurricular
3 activity regardless of whether the licensee is enrolled at the
4 school.

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

7 (5) For the purpose of assisting the licensee's parents,
8 guardians, or employer with farm work or in connection with any
9 farm job, employment, or other farm-related work, including
10 traveling to or from the location of the farm work, if the
11 licensee resides on a farm or is employed for compensation on
12 a farm in this state. If employed, the licensee's parent or
13 guardian must provide consent pursuant to subsection 2.

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

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

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

23 b. Transport more than one unrelated minor passenger in the
24 motor vehicle when the licensee is operating the motor vehicle.
25 For purposes of this paragraph, "*unrelated minor passenger*"
26 means a passenger who is under eighteen years of age and who is
27 not a sibling of the driver, a stepsibling of the driver, or a
28 child who resides in the same household as the driver.

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

31 d. Use an electronic communication device or an electronic
32 entertainment device while operating a motor vehicle unless the
33 motor vehicle is at a complete stop off the traveled portion
34 of the roadway. This paragraph does not apply to the use
35 of electronic equipment which is permanently installed in

1 the motor vehicle or to a portable device which is operated
2 through permanently installed equipment. The department,
3 in cooperation with the department of public safety, shall
4 establish educational programs to foster compliance with the
5 requirements of this paragraph.

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

10 6. *Certification.* The department shall prescribe a
11 certification form. If the applicant is enrolled at a school
12 for courses of instruction or extracurricular activities, the
13 applicant's school shall certify that fact on the certification
14 form, which must also include a statement that the person
15 signing the certificate is not responsible for actions of the
16 applicant which pertain to the use of the special minor's
17 restricted license.

18 a. If the applicant attends a public school, the
19 certification must be made by the school board, superintendent
20 of the applicant's school, or principal, if authorized by the
21 superintendent.

22 b. If the applicant attends an accredited nonpublic
23 school, the certification must be made by the authorities in
24 charge of the accredited nonpublic school or a duly authorized
25 representative of the authorities.

26 c. If the applicant receives competent private instruction,
27 the certification must be made by the applicant's primary
28 instructor.

29 7. *License sanctions.*

30 a. A special minor's restricted license issued under this
31 section is subject to suspension, revocation, or other sanction
32 for the same reasons and in the same manner as suspension or
33 revocation of any other driver's license, and as provided in
34 this section. The department shall suspend a special minor's
35 restricted license for three months, as follows:

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

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

8 *b.* As a result of the suspension, the department shall
9 not issue an intermediate license under section 321.180B for
10 an additional three months to a person whose special minor's
11 restricted license was suspended under this subsection, per
12 violation, following the person's sixteenth birthday.

13 8. *Citations for violation of restrictions.* A person who
14 violates the restrictions imposed under subsection 5 may
15 be issued a citation under this section and shall not be
16 issued a citation under section 321.193. A violation of the
17 restrictions imposed under subsection 5 is a moving violation.

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

19 *a.* "*Competent private instruction*" means as defined in
20 section 299A.1.

21 *b.* "*Farm-related work*" means work at a property suitable for
22 farming that is owned, leased, or operated by the licensee's
23 parents, guardians, or employer.

24 *c.* "*Independent private instruction*" means as defined in
25 section 299A.1.

26 *d.* "*Place of employment*" means the fixed location of an
27 employer who employs a person under sixteen years of age in
28 accordance with chapter 92, and is the only location at which
29 the person is authorized to work for the employer unless the
30 person is employed for purposes of farm work or farm-related
31 work.

32 *e.* "*Residence*" means the place where a person resides,
33 permanently or temporarily. A person may have up to three
34 different residences for purposes of this section, if the
35 person's parent or guardian provides written consent of the

1 additional residences to the department.

2 *f.* "School" means a public school or an accredited nonpublic
3 school, and includes facilities operated by a public or
4 accredited nonpublic school for the purposes of educational or
5 extracurricular activities.

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

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

10 **321.213B Suspension for failure to attend.**

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

16 Sec. 8. Section 321.482A, unnumbered paragraph 1, Code
17 2024, is amended to read as follows:

18 Notwithstanding [section 321.482](#), a person who is convicted
19 of operating a motor vehicle in violation of [section 321.178](#),
20 subsection 2, paragraph "a", subparagraph (2), [section](#)
21 [321.180B](#), subsection 6, [section 321.194](#), subsection 2 5,
22 paragraph "~~b~~" "d", ~~subparagraph (2)~~, [section 321.256](#), [321.257](#),
23 [section 321.275](#), subsection 4, [section 321.276](#), [321.297](#),
24 [321.298](#), [321.299](#), [321.302](#), [321.303](#), [321.304](#), [321.305](#), [321.306](#),
25 [321.307](#), [321.311](#), [321.319](#), [321.320](#), [321.321](#), [321.322](#), [321.323](#),
26 [321.324](#), [321.324A](#), [321.327](#), [321.329](#), [321.333](#), [section 321.372](#),
27 subsection 3, or [section 321.449B](#), causing serious injury to
28 or the death of another person may be subject to the following
29 penalties in addition to the penalty provided for a scheduled
30 violation in [section 805.8A](#) or any other penalty provided by
31 law:

32 Sec. 9. PREVIOUSLY ISSUED SPECIAL MINOR'S LICENSES. A
33 person who holds a special minor's license that was issued
34 under [section 321.194](#), Code 2024, before the effective date of
35 this Act may continue to operate a motor vehicle in accordance

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1 with this Act on and after the effective date of this Act.
2 However, a person who was issued a special minor's license
3 under section 321.194, Code 2024, prior to the effective date
4 of this Act shall not operate a motor vehicle unaccompanied
5 to the person's place of employment until after the person's
6 parent or guardian provides written consent to the department
7 in accordance with section 321.194, subsection 2, as enacted
8 by this Act.