

Senate File 381 - Reprinted

SENATE FILE 381
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 24)

(As Amended and Passed by the Senate March 14, 2023)

A BILL FOR

- 1 An Act regarding special minor's driver's licenses, and making
- 2 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 (1), subparagraph division (b), Code 2023, is
3 amended to read as follows:

4 (b) Over the most direct and accessible route between
5 the licensee's residence or school of enrollment and a site,
6 facility, or school that is not the licensee's school of
7 enrollment, for the purpose of participating in extracurricular
8 activities conducted under a sharing agreement with the
9 licensee's school of enrollment or conducted at a site,
10 facility, or school designated by the licensee's school
11 district for the accommodation of the school's extracurricular
12 activities, provided the ~~site, facility, or school is within~~
13 ~~the licensee's school district of enrollment or is within a~~
14 ~~school district contiguous to the licensee's school district of~~
15 ~~enrollment~~ driving distance between the point of origin and the
16 destination is no more than fifty miles.

17 Sec. 2. Section 321.194, subsection 2, paragraph a, Code
18 2023, is amended by adding the following new subparagraph:

19 NEW SUBPARAGRAPH. (04) If the licensee is otherwise
20 employed, the licensee may operate a motor vehicle during the
21 hours of 5:00 a.m. to 10:00 p.m. over the most direct and
22 accessible route between the licensee's residence or school of
23 enrollment and the licensee's place of employment, provided the
24 driving distance between the licensee's place of employment
25 and the nearest point on the route on which the licensee is
26 authorized to travel under subparagraph (1), subparagraph
27 division (a), or subparagraph (2), subparagraph division (a),
28 is no more than fifty miles.

29 Sec. 3. Section 321.194, subsection 2, paragraph a,
30 subparagraph (4), Code 2023, is amended to read as follows:

31 (4) To a service station for the purpose of refueling, so
32 long as the service station is the station closest to the route
33 on which the licensee is traveling under ~~subparagraph (1), (2),~~
34 ~~or (3)~~ this paragraph.

35 Sec. 4. Section 321.194, subsection 3, paragraphs b and c,

1 Code 2023, are amended to read as follows:

2 *b.* Upon receipt of a statement of necessity, the department
3 shall issue the driver's license provided the applicant is
4 otherwise eligible for issuance of the license. ~~The fact that~~
5 ~~the applicant resides at a distance less than one mile from the~~
6 ~~applicant's school of enrollment is prima facie evidence of~~
7 ~~the nonexistence of necessity for the issuance of a license.~~
8 ~~However, the distance between the applicant's residence and~~
9 ~~school of enrollment shall not be considered if the applicant~~
10 ~~resides on a farm or is employed for compensation on a farm.~~

11 *c.* The school shall develop and adopt a policy establishing
12 the criteria that the school shall use to approve or deny
13 certification that a need exists for a license. The adopted
14 policy must require the school to approve certification that
15 a need exists for a license for a student who participates in
16 an extracurricular activity, resides on a farm, is employed
17 for compensation on a farm in this state, or is otherwise
18 employed. If the school is a public school, the policy
19 shall be developed and adopted by the school board. If the
20 school is an accredited nonpublic school, the policy shall be
21 developed and adopted according to procedures determined by the
22 authorities in charge of the accredited nonpublic school.