

2023 Legislative Session Overview

This overview is prepared for use during the 2023 Minor Driver's License Interim Study Committee. This general legislation overview does not constitute agreement with the overview's substance by the members of the general assembly.

In the first session of the 90th General Assembly, committees from the House and Senate considered the following bills relating to driving privileges for persons aged between 14 and 18:

House File 36, House File 251, House File 647 (sections 19-21), Senate File 381, and Senate File 449

The bills each took a different approach to amending existing law relating to minor driving privileges. Below is an overview of the introduced legislation and how they differ from one another. Other similar legislation may have been introduced but not included in this overview. The embedded link with each bill number and overview below will direct you to the legislation.

Bills that amend Iowa Code section 321.194 (Special minor's licenses)

[House File 36](#) - This bill strikes the existing farm work driving privilege and replaces it with the privilege to drive between the licensee's home or school and the licensee's place of employment. The bill follows similar section 321.194 driving privileges and authorizes a licensee to drive between the hours of 5:00 a.m. -10:00 p.m. The bill provides a 50-mile driving range limit. The privilege is available to students aged 14-18. Under the bill, an applicant for the license must still provide a statement of necessity from the applicant's school. However, the bill strikes existing Code language and removes the presumption of nonexistence of necessity for an applicant who resides less than one mile from the applicant's school.

All other driving privileges and application requirements for existing Special Minor's Licenses remain the same.

[House File 251](#) - This bill strikes the existing farm work driving privilege and replaces it with the privilege to drive between the licensee's home or school and the licensee's place of employment. The bill follows similar section 321.194 driving privileges and authorizes a licensee to drive between the hours of 5:00 a.m. -10:00 p.m. The bill provides a 50-mile driving range limit. The privilege is available to students at least 15 years old.

All other driving privileges and application requirements for existing Special Minor's Licenses remain the same.

[House File 647 \(sections 19-21\)](#) - This bill authorizes a person who has a Special Minor's License and who is employed other than on a farm to drive to and from the licensee's place of employment from the licensee's residence or school. The bill follows similar section 321.194 driving privileges and authorizes a licensee to drive between the hours of 5:00 a.m. -10:00 p.m. The bill provides a 50-mile driving range limit. The privilege is available to students aged 14-18.

Under the bill, an applicant for the license must still provide a statement of necessity, and the bill authorizes the applicant's employer, in addition to the applicant's school, to provide the required statement of necessity. The bill requires the affidavit to be signed by the applicant's parent or guardian and employer. The bill strikes existing Code language and removes the presumption of nonexistence of necessity for an applicant who resides less than one mile from the applicant's school. The bill also prohibits the distance between an applicant's residence and school to be considered by the DOT when issuing a license.

All other driving privileges and application requirements for existing Special Minor's Licenses remain the same.

[Senate File 381](#) - This bill authorizes a person who has a Special Minor's License and who is employed other than on a farm to drive to and from the licensee's place of employment and the licensee's residence or school. The bill follows similar section 321.194 driving privileges and authorizes a licensee to drive between the hours of 5:00 a.m. -10:00 p.m. The bill provides a 50-mile driving range limit. The driving privilege is available to students aged 14-18.

A statement of necessity is still required from an applicant's school, but the bill strikes existing Code language that creates a presumption of non-necessity for an applicant who resides less than one mile from the applicant's school, and the related exception for applicants who reside or are employed for compensation on a farm.

The bill requires schools to adopt a policy to approve and certify a necessity if the applicant is involved in extracurricular activities, resides on farm, is employed on farm, or is otherwise employed.

The bill also amends existing Code language regarding the authorized driving locations for extracurricular activities and changes it to a 50-mile range, similar to other distance restrictions in the section.

All other driving privileges and application requirements for existing Special Minor's Licenses remain the same.

Bills that amend Iowa Code section 321.180B (Graduated driver's licenses for persons aged 14 - 17)

[Senate File 449](#) - This bill amends the existing graduated driver's license levels to authorize a person holding an instruction permit and a Code chapter 92 work permit to drive without an accompanying driver to the person's place of employment. There is no need for a school to be involved with the application process. The time a person with an instruction permit is authorized to drive to work includes the 45 minutes prior to start and end of the person's work shift. The bill restricts the driving distance to 25 miles, if unaccompanied. The bill requires the person to work at a fixed location. The bill prohibits a person with an instruction permit from carrying passengers while unaccompanied. A person must carry the valid work permit along with the driving permit while driving. A violation of the bill is a moving violation, punishable by a \$200 fine.

The information provided in this overview is intended for informational and reference purposes only.

Refer to the content of the bill for more detail.