SENATE FILE 2109
BY COMMITTEE ON WORKFORCE

(SUCCESSOR TO SSB 3097)

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

= New Language by the Senate

A BILL FOR

An Act relating to the driving privileges of persons under eighteen years of age, and making penalties applicable.

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

Section 1. Section 232.52, subsection 2, paragraph a, subparagraph (4), subparagraph division (b), Code 2024, is amended to read as follows:

(b) The child may be issued a temporary restricted license or ~~school~~ special minor's restricted license if the child is otherwise eligible.

Sec. 2. Section 321.1, subsection 20A, Code 2024, is amended to read as follows:

20A. *"Driver's license"* means any license or permit issued to a person to operate a motor vehicle on the highways of this state, including but not limited to a restricted work, special minor's restricted, temporary restricted, or temporary license and an instruction, chauffeur's instruction, commercial learner's, or temporary permit. For purposes of license suspension, revocation, bar, disqualification, cancellation, or denial under this chapter and chapters 321A, 321C, and 321J, *"driver's license"* includes any privilege to operate a motor vehicle.

Sec. 3. Section 321.178, subsection 2, Code 2024, is amended to read as follows:

2. *Restricted work license.*

a. (1) A person between sixteen and eighteen years of age who has completed an approved driver education course and is not in attendance at school and has not met the requirements described in section 299.2, subsection 1, may be issued a restricted work license only for travel to and from work or to transport dependents to and from temporary care facilities, if necessary for the person to maintain the person's present employment. The restricted work license shall be issued by the department only upon confirmation of the person's employment and need for a restricted work license to travel to and from work or to transport dependents to and from temporary care facilities if necessary to maintain the person's employment. The employer shall notify the department if the employment of the person is terminated before the person attains the age of

eighteen.

(2) (a) A person issued a restricted work license under this ~~section~~ subsection shall not use an electronic communication device or an electronic entertainment device while driving a motor vehicle unless the motor vehicle is at a complete stop off the traveled portion of the roadway. This subparagraph division does not apply to the use of electronic equipment which is permanently installed in the motor vehicle or to a portable device which is operated through permanently installed equipment.

(b) The department, in cooperation with the department of public safety, shall establish educational programs to foster compliance with the requirements of subparagraph division (a).

b. The department may suspend a restricted ~~driver's~~ work license issued under this ~~section~~ subsection upon receiving satisfactory evidence that the licensee has violated the restrictions imposed under paragraph "*a*", subparagraph (2), subparagraph division (a). The department may also suspend a restricted work license issued under this ~~section~~ subsection upon receiving a record of the person's conviction for one violation and shall revoke the license upon receiving a record of conviction for two or more violations of a law of this state or a city ordinance regulating the operation of motor vehicles on highways, other than parking violations as ~~defined~~ described in section 321.210. After revoking a restricted work license under this ~~section~~ paragraph, the department shall not grant an application for a new driver's license or instruction permit until the expiration of one year or until the person attains the age of eighteen, whichever is the longer period.

c. A person who violates the restrictions imposed under paragraph "*a*", subparagraph (2), subparagraph division (a), may be issued a citation under this section and shall not be issued a citation under section 321.193. A violation of the restrictions imposed under paragraph "*a*", subparagraph (2), subparagraph division (a), shall not be considered a moving

violation.

Sec. 4. Section 321.180B, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Persons under age eighteen shall not be issued a license or permit to operate a motor vehicle except under the provisions of this section. However, the department may issue restricted work and special ~~driver's~~ minor's restricted licenses to certain minors as provided in sections 321.178 and 321.194, and driver's licenses restricted to motorized bicycles as provided in section 321.189. A person shall not be issued a license or permit to operate a motor vehicle if prohibited under section 321.194, subsection 7. A license or permit shall not be issued under this section or section 321.178 or 321.194 without the consent of a parent or guardian or a person having custody of the applicant under chapter 232 or 600A. An additional consent is required each time a license or permit is issued under this section or section 321.178 or 321.194. The consent must be signed by at least one parent, guardian, or custodian on an affidavit form provided by the department.

Sec. 5. Section 321.191, subsection 6, Code 2024, is amended to read as follows:

6. *~~Special minors'~~ Minors' restricted licenses.* Notwithstanding subsection 2, the fee for a ~~driver's~~ special minor's restricted license issued to a minor under section 321.194 or a restricted work license issued to a minor under section 321.178, subsection 2, is eight dollars.

Sec. 6. Section 321.194, Code 2024, is amended by striking the section and inserting in lieu thereof the following:

321.194 Special minor's restricted license.

1. *Application — persons eligible.* The department may issue a special minor's restricted license to an applicant under the age of sixteen if the applicant meets all of the following conditions:

a. The applicant holds an instruction permit issued by the department in accordance with section 321.180B, or a comparable

permit issued by another state.

b. The applicant has successfully completed an approved driver education course. However, the completion of a course is not required if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant. The department shall adopt rules defining the term "*hardship*" and establishing procedures for the demonstration and determination of when completion of the course would impose a hardship upon an applicant.

c. The applicant submits a certification from the applicant's school certifying the applicant is enrolled at the school for courses of instruction or extracurricular activities, or from the applicant's primary instructor if the applicant receives competent private instruction or independent private instruction.

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

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

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

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

collision.

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

4. *License privileges.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. *License sanctions.*

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

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

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

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

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

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

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

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

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

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

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

additional residences to the department.

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

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

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

321.213B Suspension for failure to attend.

The department shall establish procedures by rule for suspending the license of a juvenile who has been issued a driver's license and is not in compliance with the requirements of section 299.1B ~~or~~ and issuing the juvenile a restricted work license under section 321.178.

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

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

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

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