

If a person is cited for contempt, the court may do either any of the following:

Sec. 10. Section 598.23A, subsection 2, Code Supplement 1993, is amended by adding the following new paragraph:

**NEW PARAGRAPH.** c. Enjoin the contemnor from engaging in the exercise of any activity governed by a license.

(1) If the court determines that an extreme hardship will result from the injunction, the court order may allow the contemnor to engage in the exercise of the activity governed by the license, subject to terms established by the court, which shall include, at a minimum, that the contemnor enter into an agreement to satisfy all obligations owing over a period of time satisfactory to the court.

(2) If the court order allows for the exercise of the activity governed by a license pending satisfaction of an obligation over time, and the contemnor fails to comply with the agreement, the contemnor shall be provided an opportunity for hearing, within ten days, to demonstrate why an order enjoining the contemnor from engaging in the exercise of any activity governed by a license should not be issued.

(3) The court order under this paragraph shall be vacated only after verification is provided to the court that the contemnor has satisfied all accrued obligations owing and that the contemnor has satisfied all terms established by the court and when the person entitled to receive support payments, or the child support recovery unit when the unit is providing enforcement services pursuant to chapter 252B, has been provided ten days' notice and an opportunity to object.

(4) As used in this paragraph, "license" means any license or renewal of a license, certification, or registration issued by an agency to a person to conduct a trade or business, including but not limited to a license to practice a profession or occupation or to operate a commercial motor vehicle.

Approved April 19, 1994

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## CHAPTER 1102

### DRIVER EDUCATION AND MOTORCYCLE RIDER EDUCATION

*H.F. 181*

**AN ACT** relating to motorcycle rider and driver's education.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.178, subsection 1, unnumbered paragraph 1, Code 1993, is amended to read as follows:

An approved driver education course as programmed by the department of education shall consist of at least thirty clock hours of classroom instruction, and six or more clock hours of laboratory instruction of which at least three clock hours shall consist of street or highway driving. ~~An approved course~~ Classroom instruction shall include a all of the following:

a. A minimum of four hours of classroom instruction concerning substance abuse as part of its curriculum.

b. A minimum of twenty minutes of instruction concerning railroad crossing safety.

c. Instruction relating to becoming an organ donor under the uniform anatomical gift Act.

**PARAGRAPH DIVIDED.** After the student has completed three clock hours of street or highway driving and has demonstrated to the instructor an ability to properly operate a motor vehicle and upon written request of a parent or guardian, the instructor may waive the remaining required laboratory instruction.

Sec. 2. Section 321.189, subsection 7, Code 1993, is amended to read as follows:

7. **CLASS M LICENSE EDUCATION REQUIREMENTS.** A person ~~under the age of eight-~~ applying for a driver's license valid for the operation of a motorcycle shall be required to successfully complete a motorcycle education course either approved and established by the department of education or from a private or commercial driver education school licensed by the department before the class M license will be issued. A public school district shall charge a student a fee which shall not exceed the actual cost of instruction minus moneys received by the school district under subsection 9.

The requirement that an applicant complete a motorcycle education course prior to issuance of a driver's license under this subsection, does not apply to the following:

1. An operator who has been issued a class M license prior to July 1, 1994.
2. An operator who is renewing the operator's class M license issued prior to July 1, 1994.
3. An operator who has been issued a driver's license which is valid for the operation of a motorcycle in another state.

Sec. 3. The department of public health shall cooperate with the department of education to provide materials and information for driver's education courses which promote organ donation with the goal of increasing the number of potential organ donors.

Sec. 4. **CONTINGENT EFFECTIVE DATE.** The provisions of this Act which amend section 321.189, take effect May 1, 1995, or at such time as the department of education provides adequate training vehicles, instructors, curriculum materials, training sites, and program funding for training for all persons who are required to complete the motorcycle education course or for any person who would like to complete the motorcycle education course, whichever is earlier. The department of education shall notify the state department of transportation when the department of education has the resources available to effectively offer the motorcycle education course.

Approved April 25, 1994

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## CHAPTER 1103

### CARE OF ANIMALS

*H.F. 637*

**AN ACT** relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing penalties, and providing for the repeal of sections and effective dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 162.13, unnumbered paragraph 2, Code 1993, is amended to read as follows:

~~Failure~~ The failure of any pound, research facility, animal shelter, pet shop, boarding kennel, commercial kennel, commercial breeder, public auction, or dealer, to adequately house, feed, or water dogs, cats, or vertebrate animals in the person's or facility's possession or custody is a simple misdemeanor. The animals are subject to seizure and impoundment and may be sold or destroyed as provided by rules which shall be adopted by the department pursuant to chapter 17A. The rules shall provide for the destruction of an animal by a humane method, including by euthanasia at the discretion of the secretary and the. The failure to meet the requirements of this section is also grounds ~~cause~~ for revocation or suspension of license or registration after public hearing. The commission of an act declared to be an unlawful practice under section 714.16 or prohibited under chapter 717 or 717B, by a person or facility licensed