

761—615.45(321) Temporary restricted license (work permit).

615.45(1) Ineligibility. The department shall not issue a temporary restricted license under Iowa Code section 321.215 to an applicant:

- a. Whose license has been denied or canceled.
- b. Whose license has been suspended for incapability.
- c. Whose license has been suspended for noncompliance with the financial responsibility law.
- d. Whose minor's school license or minor's restricted license has been suspended or revoked.
- e. Rescinded IAB 10/6/21, effective 11/10/21.
- f. Whose license has been mandatorily revoked under Iowa Code section 321.209, subsections 1 to 4 or subsection 7, or for a second or subsequent conviction for drag racing.
- g. Whose license is barred under Iowa Code section 321.560 unless the applicant is declared to be a habitual offender under Iowa Code section 321.555(1) "c" or 321.555(2).
- h. Whose license has been suspended due to receipt of a certificate of noncompliance from the child support recovery unit.
- i. Whose license has been suspended for a charge of vehicular homicide.
- j. Whose license has been suspended under Iowa Code section 321.180B(3).

615.45(2) Application.

- a. To obtain a temporary restricted license, an applicant shall complete and submit Form 430100 and any supporting documentation to the motor vehicle division at the address in rule 761—615.3(17A).
- b. A temporary restricted license issued for employment may include permission for the licensee to transport dependent children to and from a location for child care when that activity is essential to continuation of the licensee's employment.

615.45(3) Statements. A person applying for a temporary restricted license shall submit all of the following statements that apply to the person's situation. Each statement shall explain the need for the license and shall list specific places and times for the activity which can be verified by the department.

- a. A statement from the applicant.
- b. A statement from the applicant's employer unless the applicant is self-employed including, when applicable, verification that the applicant's use of a child care facility is essential to the applicant's continued employment.
- c. A statement from the health care provider if the applicant or the applicant's dependent requires continuing health care.
- d. A statement from the educational institution in which the applicant is enrolled.
- e. A statement from the substance abuse treatment program in which the applicant is participating.
- f. A copy of the court order for community service and a statement describing the assigned community service from the responsible supervisor.
- g. A statement from the child care provider.

615.45(4) Additional requirements. An applicant for a temporary restricted license shall also:

- a. Provide a description of all motor vehicles to be operated under the temporary restricted license.
- b. File proof of financial responsibility under Iowa Code chapter 321A, if required, for all motor vehicles to be operated under the temporary restricted license.
- c. Pay the civil penalty when required by Iowa Code section 321J.17.

615.45(5) Issuance and restrictions.

- a. When the application is approved and all requirements are met, the applicant shall be notified by the department. The applicant shall pass the appropriate examination for the type of vehicle to be operated under the temporary restricted license. An Iowa resident shall also pay the reinstatement and license fees.

b. The department shall determine the restrictions to be imposed by the temporary restricted license. The licensee shall apply to the department in writing with a justification for any requested change in license restrictions.

615.45(6) Denial. An applicant who has been denied a temporary restricted license or who contests the license restrictions imposed by the department may contest the decision in accordance with rule 761—615.38(321).

This rule is intended to implement Iowa Code chapter 321A and sections 252J.8, 321.177, 321.178, 321.184, 321.185, 321.186, 321.189, 321.191, 321.193, 321.194, 321.201, 321.205, 321.209, 321.210, 321.210A, 321.212, 321.213A, 321.213B, 321.215, 321.218 as amended by 2021 Iowa Acts, House File 757, section 1, 321.513, 321.560 and 321J.17.

[ARC 4119C, IAB 11/7/18, effective 12/12/18; ARC 4758C, IAB 11/6/19, effective 12/11/19; ARC 5496C, IAB 3/10/21, effective 4/14/21; ARC 5941C, IAB 10/6/21, effective 11/10/21; Editorial change: IAC Supplement 12/28/22]