

## **Motor Vehicle Division Informational Memo # 22-xx**

### ***Behind-the-Wheel Driver's Education Administrative Rule Updates***

**DATE:** June 20, 2022  
**FROM:** MVD Policy & Compliance Team  
**TO:** All Motor Vehicle Division staff

#### **SUBJECT**

This informational memo explains updates to administrative rule chapter 761—634, Driver Education and is most applicable to staff that work with driver's education behind-the-wheel instructors.

#### **SUMMARY**

The updates to this rule chapter build flexibility into the rule related to the timing of the completion of the classroom and behind-the-wheel portions of a driver's education course. Prior to these rule updates, the behind-the-wheel portion of a driver's education course had to conclude no later than 30 days after the classroom portion of the course was completed. However, during the COVID-19 pandemic, and in other situations of medical necessity unrelated to COVID which are beyond the student's control, it has become a somewhat regular occurrence for students to need additional time beyond the 30-day time period allowed in the prior rule to complete the laboratory portion of the course. An example of this is due to a sporting injury when a student's right foot is broken and is required to be in a cast for eight weeks followed by two to four weeks of recovery, during which time the student cannot drive due to needing the right foot to depress the gas and brake pedals.

To address these circumstances, the rule changes now allow the behind-the-wheel portion of the course to conclude within 45 days after classroom instruction is completed, or if the driver's education course provider determines there is good cause to delay, within 90 days after the classroom instruction is completed. In our experience, most students are able to fully complete the remainder of the behind-the-wheel instruction within a 90-day timeframe, most often during the provider's next available course offering.

**The administrative rule amendments are effective July 6, 2022.**

#### **LINK TO ADMINISTRATIVE RULES**

<https://www.legis.iowa.gov/docs/aco/arc/6337C.pdf>

#### **CURRENT**

The rules require the behind-the-wheel portion of a driver's education course to conclude no later than 30 days after the classroom portion of the course was completed.

#### **NEW**

As of July 6, 2022, the rules will allow the behind-the-wheel portion of the driver's education course to conclude within 45 days after classroom instruction is completed, or if the driver's education course

provider determines there is good cause to delay, within 90 days after the classroom instruction is completed.

**BUSINESS IMPACT**

This memo does not significantly impact the way that MVD operates as it provides flexibility directly to the driver's education course providers and does not require MVD to perform any new duty.