

Motor Vehicle Division Informational Memo # 19-15

2019 Legislation - Behind-the-Wheel Instructor Peace Officer Exemption

DATE: June 17, 2019

FROM: Kathleen Meradith-Eyers, DIS operational analyst

TO: All Driver and Identification Services (DIS) staff, Iowa County Treasurers and County Treasurers' staff that issue driver's licenses and non-operator's identification cards

SUBJECT

This informational memo explains legislation enacted during the 2019 legislative session which creates an exemption for certain peace officers from needing to be authorized by the Board of Educational Examiners to provide behind-the-wheel instruction in driver's education.

SUMMARY

During the 2019 legislative session, a bill was passed to exempt certain peace officers from the requirement to be authorized by the Board of Educational Examiners (BOEE) to provide street or highway driving ('behind-the-wheel') instruction in driver's education courses. The enacted legislation exempts peace officers who have 5+ years of experience as a peace officer, or retired peace officers who hold a driver's license that is valid for more than two years from the issuance date, from that requirement. Under code section 321.196, anyone over age 72 can only be issued only a two-year license and would therefore not qualify for the exemption in this bill. In addition, individuals with certain medical conditions could be restricted to two-year licenses and would also be ineligible for the exemption (IAC 761-605.5(6)). **The legislation becomes effective on July 1, 2019.**

LINK TO LEGISLATION

<https://www.legis.iowa.gov/docs/publications/LGE/88/SF319.pdf>

CURRENT

Currently, any individual who wishes to provide behind-the-wheel driving instruction for driver's education courses must be both certified by the Iowa DOT and authorized by the BOEE as a behind-the-wheel instructor.

NEW

Peace officers eligible for this exemption will no longer need to annually apply for authorization with the BOEE, complete a background check for initial authorization, or complete child/dependent adult abuse training every five years for authorization renewal (IAC 282-23.1(1)). Eligible peace officers still need to hold valid certification from the Iowa DOT as a behind-the-wheel instructor, which includes an instructor preparation course for initial certification, and completion of a refresher course for annual certification renewal, among other requirements (Ch 321.178; IAC 761—634.7).

BUSINESS IMPACT

The legislation will affect a small subset of Iowa's behind-the-wheel instructors. The necessary changes will be implemented by DIS driver's education program staff and will not impact any other DIS procedures or processes.