

Motor Vehicle Division Policy Memo # 16-01

Use of Minor School License for Extracurricular Activities

DATE: June 28, 2016

FROM: Melissa Spiegel, Director, Office of Driver Services

TO: All Driver Services staff and Iowa County Treasurers and County Treasurers' staff that issue driver's licenses.

SUBJECT

This policy memo explains legislation passed in 2016 (Division III of House File 2437) that expands the circumstances in which a student may use a minor school license to participate in extracurricular activities.

EXPLANATION

In 2016, state legislation amended Iowa Code section 321.194, "Special minor's licenses," to allow students that have a minor school license to use the license to drive without adult supervision to extracurricular activities that are conducted outside the school district in which they are enrolled, as long as the activities are within a contiguous district (a district that borders the district in which they are enrolled). **This legislation is effective July 1, 2016.**

Currently, a student with a minor school license can only use the license to drive to extracurricular activities that are conducted outside their school district if the activities are conducted under a sharing agreement with another school. This created obstacles for students in schools that designated practices and other activities at locations outside the district, but are not conducted under a sharing agreement with another school. (For instance, Johnston Community School District conducts its bowling practices at a bowling alley in the Des Moines School District, and because there was no sharing agreement between the schools for this activity, a student on a minor school license couldn't drive to the bowling practice, even though the districts are contiguous and it would be ok if there was a sharing agreement between the schools.)

The 2016 legislation eliminates this obstacle. Beginning July 1, 2016, students may drive without adult supervision for the purpose of participating in extracurricular activities conducted outside the school district they are enrolled, as long as:

- The activities are conducted in a contiguous (bordering) school district, and;
- The activities are conducted at a site, facility or school designated for the activities under a sharing agreement between schools, or the activities are conducted at a site or facility that the school district they are enrolled in has designated to accommodate extracurricular activities (even though not conducted under a sharing agreement with another school).

LINK TO LEGISLATION

Iowa Acts, 2016, House File 2437, Division III, Section 33, amended section 321.194 of the Iowa Code:

https://www.legis.iowa.gov/docs/publications/LGE/86/Attachments/HF2437_GovLetter.pdf

HELPFUL QUESTIONS AND ANSWERS

The following questions and answers provide additional information that will be helpful to you and to customers.

WILL STUDENTS WHO ALREADY HAVE A MINOR SCHOOL LICENSE HAVE TO CHANGE THEIR LICENSE TO TAKE ADVANTAGE OF THIS CHANGE?

No. Students who already have a minor school license will not have to change their license or get a new license to take advantage of this legislative change.

- The legislation doesn't change any information that may appear on the license and doesn't require any changes to restrictions or other language that may appear on the license.
- The legislation merely expands the purposes for which a student is allowed to drive without adult supervision.
- The legislation applies to all students that hold a minor school license, regardless of when the license was issued.
- Students that already have a minor school license do not need to be individually contacted to let them know of the change.
- We will update our online and printed materials, use social media to advise of the changes, and communicate directly with schools.

DOES THIS CHANGE THE WAY WE ISSUE A MINOR SCHOOL LICENSE OR THE REQUIREMENTS FOR OBTAINING A MINOR SCHOOL LICENSE?

No. The legislation doesn't change the eligibility requirements or process for issuing a minor school license and doesn't require new or different documentation from the student, their parent or guardian, or the school. The legislation only expands the purposes for which the student can drive once they are issued a minor school license.

DOES THIS CHANGE THE OTHER PURPOSES FOR WHICH A STUDENT WITH A MINOR SCHOOL LICENSE MAY DRIVE?

No. The legislation did not change the other purposes for which a student with a minor school license may drive, nor did it change the restrictions.

- The legislation only expanded the ability to drive for the purpose of participating in extracurricular activities, it didn't change any other permitted driving purposes or restrictions.
- Taking into account the changes made by the legislation, a student with a minor school license may drive without adult supervision only between 5 AM and 10 PM, and only in the following circumstances:
 - Between the student's residence and schools of enrollment or the closest school bus stop or public transportation service, and between schools of enrollment, for the purpose of attending duly scheduled courses of instruction and extracurricular activities within the school district of enrollment.
 - Between the student's residence or school of enrollment and a site, facility, or school that is not the student's school of enrollment for the purpose of participating in extracurricular activities conducted under a sharing agreement with the student's school of enrollment, or conducted at a site or facility designated by the student's school district for the accommodation of the

- school's extracurricular activities, provided the site, facility, or school is within the student's school district of enrollment or a contiguous (bordering) school district.
- To a service station for the purpose of refueling, so long as the service station is the station closest to the route the licensee is traveling on for any purpose above.
 - Students using a minor school license remain restricted to transporting no more than one unrelated minor passenger when driving without adult supervision.
 - Students using a minor school license continue to be prohibited from using electronic communication or entertainment devices while driving (other than electronic devices that are permanently installed in the vehicle and portable electronic devices that are operated through electronic equipment that is permanently installed in the vehicle).

WHAT IS A SITE OR FACILITY DESIGNATED BY A SCHOOL DISTRICT “FOR THE ACCOMMODATION OF THE SCHOOL’S EXTRACURRICULAR ACTIVITIES?”

Although it's not possible to comprehensively define what constitutes a “site or facility designated by a school district for the accommodation of the school's extracurricular activities,” below are some general guidelines:

- The site or facility must be a location that the school or school district has determined should be used for an official activity of the school or school district.
- Private parties or gatherings, club activities not endorsed or sanctioned by a school, and other private activities are not extracurricular activities, and students with a minor school license are not permitted to drive without adult supervision for the purpose of attending those activities, regardless of whether they are within the district of enrollment or a contiguous district.
- When it is unclear whether the school district has designated a site or facility for extracurricular activities, you should refer the student and their parent or guardian to the school district.