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IOWA PASSES GRADUATED DRIVER LICENSING LAW,

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Perhaps there is no greater rite of passage than obtaining a driver's license. As a kid, you finally felt free. But this freedom comes at great cost. Motor vehicle accidents are the leading cause of death for those between the ages of 5 and 24.¹ Among those at greatest peril are drivers between the ages of 15 and 20.² According to the American Automobile Association, more than 6,300 teenagers aged 15 to 20 died in automobile accidents in 1996.³ Drivers aged 15 to 20 comprise 7% of licensed drivers, yet account for 20% of all accidents and 14% of driving fatalities.⁴

In response to this situation, states have created a probationary and provisional licensing system referred to as graduated driver licensing. In 1998, the Iowa legislature created a new code section, 321.180B, to control the issuance of all drivers' permits and licenses to persons under the age of 18. This new graduated driver licensing system consists of the following three levels:

Level 1 - Instruction permits ages 14 through 18;

Level 2 - Intermediate licenses for ages 16 or 17; and

Level 3 - Full driver's licenses for persons at least age 17.

Level one regulates the issuance of instruction permits to persons between the ages of 14 and 18. Under the prior law, a permittee who was less than 16 years of age had to be accompanied by a driver who was a parent or guardian, an immediate family member who was at least 21 years of age, an approved driver education instructor or one in a state approved training program, or a person at least 25 years of age if written permission was granted by the parent or guardian.⁵ A permittee 16 years of age or older, under the prior law, had to be accompanied by a driver who was at least 18 years of age or older.⁶ Iowa's new law applies the qualifications currently applicable to drivers accompanying persons aged 14 and 15 to drivers accompanying persons aged 16 and 17.⁷

Level two regulates the issuance of intermediate licenses to persons 16 or 17 years of age. An intermediate license may be issued to such a person who has possessed an instruction permit under level one for six months, who presents an affidavit signed by a parent or guardian stating that the permittee has accumulated a total of twenty hours of street or highway driving, (two hours of which were conducted at night,) and whose driving privileges have not been suspended, revoked or barred during the six month period immediately preceding application for the license.⁸ The applicant must also be accident and conviction free for the same six month period, be physically and mentally capable to operate a vehicle pursuant to Iowa Code 321.186, and must have satisfactorily completed a drivers education course.⁹ A person issued an intermediate license may drive without an accompanying driver between the hours of 5:00 a.m. and 12:30 a.m., but between 12:30 a.m. and 5:30 a.m. must be accompanied by a parent or guardian, an immediate family member who is at least 21 years of age, an approved driver education instructor or instructor trainee, or a person at least 25 years of age with written permission of the driver's parent or guardian.¹⁰ It should be noted that these requirements are not applicable when a driver possesses a waiver for school related extracurricular activities and work.¹¹

A person who has been issued an instruction permit or an intermediate license who is convicted of a moving traffic violation or involved in a motor vehicle accident during the term of such permit or license shall be subject to remedial driver

or involved in a motor vehicle accident during the term of such permit or license shall be subject to remedial driver improvement action or suspension of the permit or license.¹² Such a permittee or intermediate licensee shall not move to the next level of licensure until they have completed the remedial driver improvement action and been accident and conviction free for 6 months in the case of a permittee and 12 months in the case of an intermediate licensee.¹³

A full driver's license may be issued to a person 17 years of age who has possessed an intermediate license for a minimum of 12 months, who has filed an affidavit showing at least 10 hours of highway or street driving, of which 2 hours were conducted after dark.¹⁴ Furthermore, the person's operating privileges cannot have been suspended, revoked or barred, and they must have been accident or conviction free for the 12 month period immediately preceding the application.¹⁵

This law took effect on January 1, 1999.

Endnotes

1. "Licensed to Learn: A Safety Program for New Drivers" --- A Report by AAA Motor Club (1997), p.1.

2. *Id.*

3. *Id.*

4. *Id.*, at p.3.

5. Iowa Code 321.180(1)(b)(1997).

6. *Id.*

7. 1998 Iowa Acts Ch. 1112, 5(1).

8. *Id.*, at 5(2).

9. *Id.*

10. *Id.*

11. *Id.*

12. 1998 Iowa Acts Ch. 1112, 5(3).

13. *Id.*

