

Curb it-Click it

New Safety Laws



For Teen Drivers



Warning period and issuance of citations

During an educational period from July 1, 2010, through June 30, 2011, law enforcement officers will only be issuing warnings to violators of this law. After June 30, 2011, violators will be issued a citation, and be guilty of a simple misdemeanor punishable by a fine of \$30, plus a \$10.50 surcharge and \$60 in court costs, or a total cost of at least \$100.50.

A conviction for a violation of the texting law is not a moving violation and generally will not result in a suspension of a person's driver's license. However, a driver convicted of operating a motor vehicle in violation of this law causing serious injury to or the death of a person may be subject to the following penalties, in addition to the penalty provided for a scheduled violation in Iowa Code section 805.8A or any other penalty provided by law.

- For a violation causing serious injury, a fine of \$500 or suspension of the violator's driver's license or operating privileges for not more than 90 days, or both.
- For a violation causing death, a fine of \$1,000 or suspension of the violator's driver's license or operating privileges for not more than 180 days, or both.

Seat belts required for teen drivers and passengers

The new law requires any person under age 18 who is a passenger in the back seat of a motor vehicle to be secured by a seat belt, safety harness or child restraint system.

This new law is in addition to the existing laws that require all drivers and front-seat passengers (regardless of age) to wear a seat belt; and prohibit teens holding a GDL instruction permit or intermediate license from transporting more passengers in their vehicle than available safety belts.

Enforcement

Law enforcement will be issuing citations to violators of this law effective July 1, 2010. This law **does not** have a warning educational period.

Who may be cited for a violation of this law?

1. The owner of a 1966 or newer vehicle, if the vehicle is not equipped with safety belts, or if the belts are not usable.
2. The driver of a vehicle for improper or nonuse of a safety belt or safety harness.
3. The front-seat passengers for improper or nonuse of safety belt or safety harness.
4. A driver who violates Iowa's Child Restraint Devices law by not restraining or improperly restraining a child. [Note: A driver shall not be charged for a violation committed by a passenger who is 14 years old or older, unless the passenger is unable to properly fasten the seat belt due to a temporary or permanent disability.]
5. The parent, legal guardian or other responsible adult traveling with a child being transported in a taxicab in a manner that is not in compliance with the Child Restraint Devices law.
6. A teen driver holding a restricted driver's license who has more passengers in the vehicle than number of seat belts.
7. A teen passenger (at least 14 years of age and under age 18) riding in a back seat of a motor vehicle for improper or nonuse of a safety belt or safety harness, unless the individual is unable to properly fasten the seat belt due to a temporary or permanent disability.

A person who is first charged for a violation of the Child Restraint Devices law that requires children under age six to be secured in a child restraint system, and who has not purchased or otherwise acquired a child restraint system, shall not be convicted, if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a child restraint system that meets federal motor vehicle safety standards.

Will a violation of the seat belt law go on my driving record?

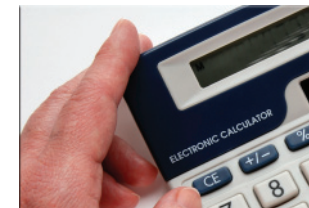
Although not considered a moving violation, a conviction for violating a seat belt law will go on a person's driving record.

For a young person holding a restricted license, the violation **will be** considered when determining whether their driver's license should be suspended, revoked or cancelled.

For a person holding an unrestricted full license, the violation **will not** be considered when determining whether their driver's license should be suspended, revoked or cancelled.

What is the fine for not buckling up?

A person who violates the Safety Belts and Safety Harnesses law (Iowa Code 321.445) is guilty of a simple misdemeanor punishable as a scheduled violation of Iowa Code section 805.8A (14)(c)(1), which carries a scheduled fine of \$50, plus a \$17.50 surcharge and \$60 in court costs, for a total penalty of at least \$127.50.



A person who violates the Child Restraint Devices law (Iowa Code 321.446) is guilty of a simple misdemeanor punishable as a scheduled violation of Iowa Code section 805.8A (14)(c)(2), which carries a scheduled fine of \$100, plus a \$35 surcharge and \$60 in court costs, for a total penalty of at least \$195.



For more information, visit:

www.iowadot.gov/CURBITCLICKIT

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Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's affirmative action officer. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

New safety laws for teen drivers

Two new Iowa highway safety laws that affect teen drivers and passengers take effect July 1, 2010.

House File 2456

- Prohibits teens holding a “restricted” driver’s license from using electronic communication and electronic entertainment devices while driving.
- Prohibits teens holding a graduated driver’s license (GDL) full license (as well as all other persons holding unrestricted driver’s licenses) from texting while driving.

Senate File 2381

- Requires persons under age 18 to wear a safety belt, safety harness or use a safety restraint system while driving or as a passenger in a motor vehicle.



Prohibits use of electronic devices while driving

House File 2456 states that drivers under age 18 issued a restricted license shall not use an electronic communication device or electronic entertainment device while driving a motor vehicle, unless the motor vehicle is at a complete stop off the traveled portion of the roadway.

The law does not apply to use of electronic equipment permanently installed in the motor vehicle or a portable device operated through permanently installed equipment, like OnStar.

What is a “restricted” driver’s license?

There are four types of “restricted” driver’s licenses issued by the State of Iowa.

1. **Graduated driver’s license (GDL) instruction permit** – available at age 14 for driving under the supervision of a parent/guardian, immediate family member over 21, driver education teacher, or driver over age 25 with written permission of the parent/guardian.

2. **GDL intermediate license** – available at age 16 to persons who meet all the conditions of an instruction permit, and have a six-month crash-free and traffic moving violation-free period immediately preceding application for the license. The license holder is allowed to drive at certain times of the day without supervision.

3. **Minor school license** – available at age 14½ to a person who has completed a driver’s education course, held an instruction permit during the six-month period immediately preceding application for the license, has a clean driving record, lives one mile or more from school, and has permission from the school and their parent/guardian.

4. **Special restricted license** – available to persons between the ages of 16 and 18 who have completed an approved driver’s education course, are not attending school and have not met the requirements to graduate from school, and need a driver’s license to travel to and from work, and to transport dependents to and from day care to maintain employment.

Warnings and citations

During an educational period from July 1, 2010, through June 30, 2011, law enforcement officers shall issue violators of this law a warning. After June 30, 2011, violators will be issued a citation. The fine is \$50, plus a \$17.50 criminal surcharge and \$60 in court costs, or a total of at least \$127.50.



Driver’s license suspensions and revocations

Minor school license holders

A conviction for a violation of this law will result in a 30-day suspension. A conviction of two or more violations will result in a revocation for one year. If the license is revoked, reinstatement procedures will also require posting of proof of financial responsibility (SR22 insurance) for two years and payment of a \$50 civil penalty, in addition to a

reinstatement and new license fee. A suspension or revocation of a minor school license also withdraws the instruction permit or any other driving privilege.

Iowa’s GDL law requires that before a driver upgrades to the intermediate license, the immediate six-month period prior to application be free of contributive accidents, convictions for moving traffic violations and sanctions. The driving privilege must not be expired. If the minor school license is suspended, revoked or expired, the six-month period will start over beginning on the reinstatement date or renewal date of the minor school license.

If a violation causes a serious injury, a court could impose an additional fine of \$500 or suspend the person’s driver’s license for not more than 90 days, or both. If the violation causes a death, a court could impose an additional fine of \$1,000 or suspend the person’s driver’s license for not more than 180 days, or both.

GDL instruction permit holders

Persons who hold a GDL instruction permit must maintain a consecutive six-month crash-free and moving traffic violation-free driving period to qualify to move up to the GDL intermediate level. A conviction for a violation of this law will result in a 30-day suspension. As a result, the six-month crash-free and moving traffic violation-free period must be restarted, which will begin on the date that the person’s driving privilege is reinstated.

If a violation causes a serious injury, a court could impose an additional fine of \$500 or suspend the person’s driver’s license for not more than 90 days, or both. If the violation causes a death, a court could impose an additional fine of \$1,000 or suspend the person’s driver’s license for not more than 180 days, or both.

GDL intermediate license holders

Persons who hold a GDL intermediate license must drive crash-free and moving traffic violation-free for 12 consecutive months to qualify for a GDL full license. The Iowa DOT may suspend for 30 days the driver’s license of an intermediate license holder for a conviction of a violation of this law. As a result, the 12-month crash-free and moving traffic violation-

free period must be restarted, which will begin on the date that the person’s driving privilege is reinstated.

If a violation causes a serious injury, a court could impose an additional fine of \$500 or suspend the person’s driver’s license for not more than 90 days, or both. If the violation causes a death, a court could impose an additional fine of \$1,000 or suspend the person’s driver’s license for not more than 180 days, or both.

Special restricted license

The Iowa DOT may suspend for 30 days a person’s special restricted license for the first conviction of a violation of this law. The Iowa DOT shall revoke the license upon receiving a record of conviction for two or more violations of any law of this state or a city ordinance regulating the operation of motor vehicles on highways, except parking violations. If revoked, the Iowa DOT shall not grant an application for a new driver’s license until the expiration of one year or until the person attains the age of 18, whichever is the longer period.

If a violation causes a serious injury, a court could impose an additional fine of \$500 or suspend the person’s driver’s license for not more than 90 days, or both. If the violation causes a death, a court could impose an additional fine of \$1,000 or suspend the person’s driver’s license for not more than 180 days, or both.

Prohibits texting while driving

Teens that hold a GDL full license (third step of the GDL program) are prohibited from using a handheld electronic communication device to write, send or read a text message while driving a motor vehicle, unless the vehicle is at a complete stop off the traveled portion of the roadway.



A person **does not** violate this law by using a global positioning system or navigation system.