

House File 2639 - Introduced

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BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2424)

(SUCCESSOR TO HSB 615)

A BILL FOR

1 An Act relating to vehicle registration plates, including
2 registration plate frames and Gadsden flag special
3 registration plates.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.34, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 11E. *Gadsden flag plates.*

4 a. Upon application and payment of the proper fees, the
5 director may issue Gadsden flag plates to the owner of a
6 motor vehicle subject to registration under section 321.109,
7 subsection 1, autocycle, motor truck, motor home, multipurpose
8 vehicle, motorcycle, trailer, or travel trailer.

9 b. Gadsden flag plates shall be designed by the department.
10 The background shall be yellow at the top and bottom, with the
11 color fading into white in the center. The plate's numbers
12 and letters shall be black. The left side of the plate shall
13 depict a black and white rattlesnake coiled on green grass.
14 The image depicting the coiled rattlesnake shall be at least
15 three inches tall and two inches wide. The phrase "Don't Tread
16 on Me" shall appear at the bottom of the plate.

17 c. The special Gadsden flag fee for letter-number designated
18 Gadsden flag plates is fifty dollars. An applicant may obtain
19 personalized Gadsden flag plates upon payment of the fee for
20 personalized plates as provided in subsection 5, which is in
21 addition to the special Gadsden flag fee. Personalized plates
22 authorized by this subsection shall be limited to no more
23 than five numerals, letters, or combinations of numerals and
24 letters.

25 d. The fees collected by the director under this subsection
26 shall be paid monthly to the treasurer of state and deposited
27 in the road use tax fund. The treasurer of state shall
28 transfer monthly from the statutory allocations fund created
29 under section 321.145, subsection 2, to the general fund of the
30 state the amount of the special fees collected in the previous
31 month for Gadsden flag plates. Such moneys are appropriated to
32 the department of public safety to distribute in the form of
33 grants to provide education and training on the right to keep
34 and bear arms protected under the Constitution of the United
35 States and the Constitution of the State of Iowa. In the

1 awarding of grants, the department of public safety shall give
2 first consideration to any official state association of the
3 national rifle association and similar nonprofit organizations.
4 Notwithstanding section 8.33, moneys appropriated under this
5 subsection shall not revert to the general fund of the state.

6 e. Upon receipt of the special registration plates, the
7 applicant shall surrender the current registration plates to
8 the county treasurer. The county treasurer shall validate
9 the special registration plates in the same manner as regular
10 registration plates are validated under this section. The
11 annual special Gadsden flag fee for letter-number designated
12 plates is fifty dollars which shall be paid in addition to
13 the regular annual registration fee. The annual fee for
14 personalized Gadsden flag plates is five dollars which shall be
15 paid in addition to the annual special Gadsden flag fee and the
16 regular annual registration fee. The annual special Gadsden
17 flag fee shall be credited as provided under paragraph "d".

18 f. The department shall not condition the issuance of
19 Gadsden flag plates on the receipt of any number of orders for
20 Gadsden flag plates.

21 Sec. 2. Section 321.37, subsection 3, Code 2024, is amended
22 to read as follows:

23 3. ~~It is unlawful for the~~ The owner of a vehicle ~~to~~ shall
24 not place ~~any~~ a frame around or over ~~the~~ a registration plate
25 which does not permit full view of all numerals and letters
26 printed on the registration plate, other than the name of the
27 county.

28 Sec. 3. Section 321.166, subsections 2 and 9, Code 2024, are
29 amended to read as follows:

30 2. Every registration plate or pair of plates shall display
31 a registration plate number which shall consist of alphabetical
32 or numerical characters or a combination thereof and the name
33 of this state, which may be abbreviated. Every registration
34 plate issued by the county treasurer shall display the name
35 of the county, including any plate issued pursuant to section

1 321.34, except Pearl Harbor and purple heart registration
2 plates issued prior to January 1, 1997; and collegiate, fire
3 fighter, ~~and~~ medal of honor, and Gadsden flag registration
4 plates. Special truck registration plates shall display the
5 word "special". The department may adopt rules to implement
6 this subsection.

7 9. Special registration plates issued pursuant to section
8 321.34, other than gold star, medal of honor, collegiate, fire
9 fighter, natural resources, blackout, ~~and~~ flying our colors,
10 and Gadsden flag registration plates, shall be consistent with
11 the design and color of regular registration plates but shall
12 provide a space on a portion of the plate for the purpose of
13 allowing the placement of a distinguishing processed emblem or
14 an organization decal. Special registration plates shall also
15 comply with the requirements for regular registration plates
16 as provided in [this section](#) to the extent the requirements are
17 consistent with the section authorizing a particular special
18 vehicle registration plate.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to vehicle registration plates.

23 The bill authorizes the department of transportation (DOT)
24 to design and issue Gadsden flag special registration plates.
25 The bill requires the plate's background to be yellow at the
26 top and bottom, with the color fading into white in the center.
27 The plate's numbers and letters must be black. The left side
28 of the plate must contain the image of a rattlesnake in black
29 and white coiled on green grass. The phrase "Don't Tread on
30 Me" must appear at the bottom of the plate.

31 The bill provides that the special Gadsden flag fee for
32 letter-number designated Gadsden flag plates is \$50. An
33 applicant may obtain personalized Gadsden flag plates upon
34 payment of the \$25 fee for personalized plates set forth under
35 current law, which is in addition to the special Gadsden flag

1 fee. Personalized Gadsden flag plates are limited to five
2 numerals and letters. The annual special Gadsden flag fee for
3 letter-number designated plates is \$50, which is in addition
4 to the regular annual registration fee. The annual fee for
5 personalized Gadsden flag plates is \$5, which is in addition
6 to the annual special Gadsden flag fee and the regular annual
7 registration fee.

8 The fees collected by the DOT must be paid monthly to the
9 treasurer of state and deposited in the road use tax fund. The
10 treasurer of state must transfer monthly from the statutory
11 allocations fund to the general fund of the state the amount
12 of the special fees collected in the previous month for the
13 Gadsden flag plates. Such moneys are appropriated to the
14 department of public safety (DPS) to distribute in the form of
15 grants to provide education and training on the right to keep
16 and bear arms. In the awarding of grants, DPS must give first
17 consideration to any official state association of the national
18 rifle association and similar nonprofit organizations.

19 The bill prohibits the DOT from conditioning the issuance of
20 Gadsden flag plates on the receipt of any number of orders for
21 Gadsden flag plates.

22 Gadsden flag plates are exempt from the general requirements
23 to display the name of the county that issues the plates and to
24 be consistent with the design and color of regular registration
25 plates.

26 Under current law, nonprofit organizations are authorized
27 to apply to the DOT for approval to issue a decal of the
28 organization's own design to be displayed on special
29 registration plates with space reserved for an organizational
30 decal. The nonprofit organization may charge a fee and retain
31 any payment received for the organizational decal. Code
32 section 321.34(13) sets forth the application process and
33 certain limitations for nonprofit organizations and decal
34 designs.

35 Under current law, an owner of a vehicle who places any frame

1 around or over a registration plate which does not permit full
2 view of all numerals and letters printed on the registration
3 plate, including the name of the county printed on the bottom
4 of the plate, commits a simple misdemeanor punishable by a
5 scheduled fine of \$30. Under the bill, a registration plate
6 frame is no longer required to permit full view of the name of
7 the county.