

1 SEC. 4. That section forty-nine hundred sixty-d thirty (4960-d30),
 2 code, 1931, be amended by striking the words "December thirty-first"
 3 in lines 2 and 3 and inserting in lieu thereof the words "June thirtieth."

1 SEC. 5. That chapter eighty-one (81), acts of the Forty-fifth Gen-
 2 eral Assembly, amending section forty-nine hundred sixty-d thirty
 3 (4960-d30), code, 1931, is hereby amended by striking the words
 4 "December thirty-first" from line 5 and inserting in lieu thereof the
 5 words "June thirtieth."

House File 495. Approved May 6, 1935.

CHAPTER 47

MOTOR VEHICLES. TESTING STATIONS

S. F. 76

AN ACT to amend section forty-nine ninety-two (4992), code, 1931, relating to powers of local authorities in cities and towns and granting additional powers thereto to pass and enforce ordinances for the acquisition, erection, establishment, equipment, operation and maintenance of motor vehicle testing stations, for testing automobiles and trucks using the streets of any such city or town; providing for the collection of fees for such testing service and for applying said fees to the cost of construction, establishment, equipment, operation and maintenance of any such station, and granting to cities and towns additional powers to pay for such testing stations, including the acquisition, erection, establishment, equipment, operation and maintenance thereof, out of past or future earnings or out of the general fund, and authorizing the issuance of revenue bonds payable solely from the earnings of such stations; providing a penalty for the violation of any such ordinance, and validating all ordinances heretofore passed not inconsistent with the provisions hereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section forty-nine ninety-two (4992), code,
 2 1931, by adding thereto the following sections:

3 "3. In addition to all the powers heretofore granted to local authori-
 4 ties, all cities and towns, including cities operating under special char-
 5 ter, shall have the power to acquire, establish, erect, equip, operate
 6 and maintain motor vehicle testing stations therein and to pay for
 7 the same out of the proceeds of the collection of fees charged for
 8 testing motor vehicles, including trucks.

9 "4. Cities and towns shall have the power to fix the amount of
 10 fees, not exceeding twenty-five (25) cents per test and not more than
 11 fifty (50) cents per year, provided, however, the limitation as to the
 12 amount of fees as herein provided shall not apply to cities having a
 13 population of one hundred thousand (100,000) or more, for the in-
 14 spection of any motor vehicle or truck for any defect prohibited by
 15 law upon any motor vehicle operated upon the streets, alleys or thor-
 16 oughfares of cities and towns. Cities and towns shall have additional
 17 power to set aside all fees so collected in a separate fund out of which
 18 all costs and expenses in connection with or growing out of the con-
 19 struction, establishment, equipment, operation and maintenance of
 20 said station shall be paid. Any surplus remaining in said fund at
 21 the end of the fiscal year over and above the actual cost of operating
 22 the testing station, shall be paid into the general fund of the city or
 23 town.

24 "5. The right to use the streets, alleys and thoroughfares of any
25 city or town so passing any such ordinance shall be dependent upon
26 compliance with the terms of any such ordinance and with the laws
27 of the state of Iowa relating to motor vehicles and the parking or
28 use thereof on the streets, roads or public highways of such city or
29 town.

30 "The state motor vehicle department shall prescribe the shape, size,
31 color and inscription of a sticker to be placed by any such city or
32 town so operating a motor vehicle testing station hereunder, upon the
33 windshield of any motor vehicle so passing the tests herein provided.
34 Said city or town shall insert the name thereof and the date said
35 sticker was issued.

36 "Said stickers shall be sold by the state to any such city or town
37 so establishing a motor vehicle testing station, under the provisions
38 hereof, at reasonable cost.

39 "Said sticker when so prepared, issued and placed, shall exempt the
40 owner and driver of the automobile so passing said test from any other
41 tests hereunder at any place in the state of Iowa for the period for
42 which said sticker was issued.

43 "6. Any ordinance of a city or town having been heretofore passed
44 relating to the establishment, equipment, and operation of any such
45 testing station is hereby declared valid, insofar as it may be con-
46 sistent with the terms and provisions hereof, together with the pub-
47 lication thereof, and all the acts and conduct of the city council, offi-
48 cers, employees and persons or other body authorized to acquire, erect,
49 establish, equip, operate or maintain any such testing station, are
50 hereby declared valid.

51 "Any city which has heretofore set up a traffic safety council, or
52 other body, by ordinance, for the construction, operation and main-
53 tenance of any such testing station, shall continue to so operate, main-
54 tain, supervise, and control said station through said traffic safety
55 council.

56 "7. Cities and towns shall have the power to enforce any such
57 ordinance by fine, not exceeding twenty-five (25) dollars, or impris-
58 onment, not exceeding seven days, in default of payment, which said
59 fine or imprisonment may be imposed upon either the owner or operator
60 of any such vehicle.

61 "8. Cities and towns may provide for the inspection of motor ve-
62 hicles and trucks operated upon the streets, alleys or thoroughfares
63 thereof when owned by residents of any such city or town where so
64 operated.

65 "9. The state motor vehicle department shall have supervision and
66 control over the type of tests and the facilities therefor in any such
67 motor vehicle testing station, and any such city or town desiring to
68 establish any such station shall first procure the approval thereof
69 by the state motor vehicle department.

70 "10. Cities and towns shall have additional powers to pay for any
71 such testing station or stations and the equipment, maintenance and
72 operation thereof out of past or future earnings of said station or
73 stations or out of the general fund, and cities and towns may issue
74 revenue bonds for the acquisition, erection, establishment, equipment,
75 operation and maintenance of any such station or stations, which said

76 bonds shall be payable solely from the earnings of said station or
77 stations."

1 SEC. 2. This act being of immediate importance shall become effec-
2 tive upon publication in the Des Moines Register, a newspaper pub-
3 lished at Des Moines, Iowa, and the Guthrie Times, a newspaper pub-
4 lished at Guthrie Center, Iowa.

Senate File 76. Approved May 6, 1935.

I hereby certify that the foregoing act was published in the Guthrie Center Times,
May 16, 1935, and the Des Moines Beaverdale News, May 9, 1935.

MRS. ALEX MILLER, *Secretary of State.*

Note: The Des Moines Beaverdale News substituted for the Des Moines Register in
accordance with section 55, code, 1931.

CHAPTER 48

MOTOR VEHICLES. HIGHWAY SAFETY PATROL

H. F. 67

AN ACT to repeal section fifty hundred seventeen-a one (5017-a1), code, 1931, and
to enact a substitute therefor, pertaining to a highway safety patrol.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section fifty hundred seventeen-a one (5017-a1), code,
2 1931, is hereby repealed, and the following is enacted as a substitute
3 therefor:

1 "SEC. 2. There is hereby created in the motor vehicle department
2 under the secretary of state, an Iowa highway safety patrol.

1 "SEC. 3. The secretary of state is hereby authorized to employ not
2 to exceed fifty-three (53) men as an Iowa highway safety patrol, and
3 not more than sixty (60) per cent of such employees shall at any time
4 be members of the same political party.

1 "SEC. 4. Such appointees shall be selected after an examination
2 as to physical and mental fitness, to be prescribed by the secretary of
3 state and at time of appointment shall be citizens of the state of Iowa
4 and of good moral character and shall not be less than twenty-five
5 (25) years of age.

1 "SEC. 5. No member of the patrol shall, while in such position, be
2 a candidate for any political office, or take part in or contribute any
3 money or other things of value, directly or indirectly, to any political
4 campaign or to any candidate for public office. Anyone violating the
5 provisions of this section shall be guilty of a misdemeanor and upon
6 conviction shall be punished as provided by law.

1 "SEC. 6. During the period of six months after appointment any
2 member of the Iowa highway safety patrol shall be subject to dis-
3 missal at the will of the secretary of state. After six months' service
4 no member of the patrol shall be subject to dismissal unless charges
5 have been filed with the secretary to the executive council showing
6 cause for dismissal of appointee as a member of the Iowa highway
7 safety patrol. A date shall be set for hearing before the executive
8 council and the appointee notified in writing of date of such hearing