

## CHAPTER 129

## MOTOR VEHICLES

S. F. 219

AN ACT to amend section four hundred ninety-one (491), chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, relative to operating and moving certain vehicles and road construction machinery and equipment upon the highways and providing conditions under which permits may be issued for said purpose.

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

1 SECTION 1. Section four hundred ninety-one (491), chapter one  
2 hundred thirty-four (134), Acts of the Forty-seventh General As-  
3 sembly, is hereby amended by inserting after the word "move" in line  
4 six (6) thereof the words "for a distance not exceeding twenty-five  
5 (25) miles", and by striking the period at the end of said section and  
6 adding thereto the following: " , provided, however, that the state high-  
7 way commission or such local authorities may in their discretion is-  
8 sue a special permit for the movement of road construction machinery  
9 and equipment for a distance exceeding twenty-five (25) miles if such  
10 machinery and equipment is to be used upon construction projects  
11 within the state of Iowa, or is manufactured within the state of Iowa,  
12 and the weight of such machinery and equipment so moved, exclusive  
13 of vehicle, does not exceed forty thousand (40,000) pounds.

Approved March 28, 1939.

## CHAPTER 130

## MOTOR VEHICLE DEALERS

H. F. 121

AN ACT to amend sections two (2), three (3), four (4), six (6), nine (9) and fourteen (14) of chapter one hundred thirty-five (135), acts of the Forty-seventh General Assembly, all relating to the licensing and regulation of persons engaged in the business of, at retail, selling, bartering, or otherwise dealing in new and used motor vehicles within this state; to define the place of business of such persons; to exempt retail sales made for the purpose of realizing on security; to provide for the withholding of motor vehicle dealer's license for a period not exceeding thirty days; to provide additional grounds for the denial of such license; and to change the penalties prescribed in such chapter for the violation of section three (3) thereof.

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

1 SECTION 1. Section two (2) of chapter one hundred thirty-five  
2 (135), Acts of the Forty-seventh General Assembly, is hereby  
3 amended by adding thereto the following:  
4 "5. 'Place of business' means a designated location wherein proper  
5 and adequate facilities shall be maintained for displaying either new  
6 or used cars."

1 SEC. 2. Section three (3) of chapter one hundred thirty-five (135),  
2 Acts of the Forty-seventh General Assembly, is hereby amended by  
3 striking out the word "engaged" in line one (1) of said section and in-  
4 serting in lieu thereof the word "engage".

5 Section three (3) of said chapter is further amended by adding  
6 thereto an additional subsection as follows:

7 "6. Nothing contained herein shall be construed to require the li-  
8 censing of persons selling motor vehicles at retail solely for the pur-  
9 pose of disposing of motor vehicles acquired or repossessed by them  
10 in exercise of powers or rights granted by lien or title-retention in-  
11 struments or contracts given as security for loans or purchase money  
12 obligations, provided such persons are otherwise authorized to do  
13 business in this state."

1 SEC. 3. Section four (4) of chapter one hundred thirty-five (135),  
2 Acts of the Forty-seventh General Assembly, is hereby amended by  
3 adding thereto an additional paragraph as follows:

4 "For the purpose of investigating the matters contained in such  
5 application the department may withhold the granting of a license for  
6 a period not exceeding thirty days."

1 SEC. 4. Section six (6) of chapter one hundred thirty-five (135),  
2 Acts of the Forty-seventh General Assembly is hereby amended by  
3 adding thereto two additional grounds for the denial of a license, as  
4 follows:

5 "8. does not have a place of business within the meaning of this  
6 act.

7 "9. has violated any of the following provisions of chapter one  
8 hundred thirty-four (134), Acts of the Forty-seventh General Assem-  
9 bly: Sections one hundred nine (109), one hundred ten (110), one  
10 hundred twelve (112), one hundred thirteen (113), one hundred  
11 twenty-four (124), one hundred twenty-nine (129), one hundred thirty  
12 (130), one hundred thirty-one (131), and one hundred thirty-two  
13 (132)."

1 SEC. 5. Section nine (9) of chapter one hundred thirty-five (135),  
2 Acts of the Forty-seventh General Assembly, is hereby amended by  
3 striking the numeral "7" from line five (5) of said section and in-  
4 serting in lieu thereof the numeral "6".

1 SEC. 6. Section fourteen (14) of chapter one hundred thirty-five  
2 (135), Acts of the Forty-seventh General Assembly, is hereby  
3 amended by striking from lines seven (7) and eight (8) of said sec-  
4 tion the following:

5 "five hundred dollars (\$500.00)", and inserting in lieu thereof the  
6 following: "one hundred dollars (\$100.00)", and by further striking  
7 from lines eight (8) and nine (9) of said section the words "any  
8 determinate period not exceeding six months", and inserting in lieu  
9 thereof the following: "thirty (30) days".

Approved May 17, 1939.