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ARTICLE IX—*Construction and Severability*126  
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This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable.

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SEC. 2. The agencies and officers of this state and its subdivisions and municipalities shall enforce this compact and do all things appropriate to effect its purpose and intent which may be within their respective jurisdictions.

Approved June 3, 1965.

## CHAPTER 296

## VEHICLE EQUIPMENT SAFETY COMPACT

H. F. 606

AN ACT to enable Iowa to enter into the vehicle equipment safety compact with other states and to designate a commissioner to administer the compact.

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

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SECTION 1. The commissioner of public safety is hereby authorized to enter into vehicle equipment safety compacts with other jurisdictions legally joining therein in substantially the following form.

The contracting states agree:

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ARTICLE I—*Findings and purposes*6  
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a. The party states find that:

1. Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.

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2. There is a vital need for the development of greater interjurisdictional co-operation to achieve the necessary uniformity in the laws, rules, regulations and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles.

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b. The purposes of this compact are to:

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1. Promote uniformity in regulation of and standards for equipment.

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2. Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.

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3. To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision "a" of this article.

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c. It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

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ARTICLE II—*Definitions*

32 As used in this compact:

33 a. "Vehicle" means every device in, upon or by which any person  
34 or property is or may be transported or drawn upon a highway,  
35 excepting devices moved by human power or used exclusively upon  
36 stationary rails or tracks.37 b. "State" means a state, territory or possession of the United  
38 States, the District of Columbia, or the Commonwealth of Puerto  
39 Rico.40 c. "Equipment" means any part of a vehicle or any accessory for  
41 use thereon which affects the safety of operation of such vehicle or  
42 the safety of the occupants.

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ARTICLE III—*The commission*44 a. There is hereby created an agency of the party states to be  
45 known as the "Vehicle Equipment Safety Commission" hereinafter  
46 called the commission. The commission shall be composed of one  
47 commissioner from each party state who shall be appointed, serve  
48 and be subject to removal in accordance with the laws of the state  
49 which he represents. If authorized by the laws of his party state, a  
50 commissioner may provide for the discharge of his duties and the  
51 performance of his functions on the commission, either for the dura-  
52 tion of his membership or for any lesser period of time, by an alter-  
53 nate. No such alternate shall be entitled to serve unless notification  
54 of his identity and appointment shall have been given to the commis-  
55 sion in such form as the commission may require. Each commission-  
56 er, and each alternate, when serving in the place and stead of a com-  
57 missioner, shall be entitled to be reimbursed by the commission for  
58 expenses actually incurred in attending commission meetings or while  
59 engaged in the business of the commission.60 b. The commissioners shall be entitled to one vote each on the  
61 commission. No action of the commission shall be binding unless  
62 taken at a meeting at which a majority of the total number of votes  
63 on the commission are cast in favor thereof. Action of the commis-  
64 sion shall be only at a meeting at which a majority of the commis-  
65 sioners, or their alternates, are present.

66 c. The commission shall have a seal.

67 d. The commission shall elect annually, from among its members,  
68 a chairman, a vice-chairman and a treasurer. The commission may  
69 appoint an executive director and fix his duties and compensation.  
70 Such executive director shall serve at the pleasure of the commission,  
71 and together with the treasurer shall be bonded in such amount as  
72 the commission shall determine. The executive director also shall  
73 serve as secretary. If there be no executive director, the commission  
74 shall elect a secretary in addition to the other officers provided by this  
75 subdivision.76 e. Irrespective of the civil service, personnel or other merit system  
77 laws of any of the party states, the executive director with the ap-  
78 proval of the commission, or the commission if there be no executive  
79 director, shall appoint, remove or discharge such personnel as may  
80 be necessary for the performance of the commission's functions, and  
81 shall fix the duties and compensation of such personnel.



133 *d.* Recommend to the party states changes in law or policy with  
 134 emphasis on uniformity of laws and administrative rules, regulations  
 135 or codes which would promote effective governmental action or co-  
 136 ordination in the prevention of equipment-related highway accidents  
 137 or the mitigation of equipment-related highway safety problems.

138 ARTICLE V—*Vehicular equipment*

139 *a.* In the interest of vehicular and public safety, the commission  
 140 may study the need for or desirability of the establishment of or  
 141 changes in performance requirements or restrictions for any item of  
 142 equipment. As a result of such study, the commission may publish a  
 143 report relating to any item or items of equipment, and the issuance  
 144 of such a report shall be a condition precedent to any proceedings or  
 145 other action provided or authorized by this article. No less than sixty  
 146 days after the publication of a report containing the results of such  
 147 study, the commission upon due notice shall hold a hearing or hear-  
 148 ings at such place or places as it may determine.

149 *b.* Following the hearing or hearings provided for in subdivision  
 150 “*a*” of this article, and with due regard for standards recommended  
 151 by appropriate professional and technical associations and agencies,  
 152 the commission may issue rules, regulations or codes embodying per-  
 153 formance requirements or restrictions for any item or items of equip-  
 154 ment covered in the report, which in the opinion of the commission  
 155 will be fair and equitable and effectuate the purposes of this compact.

156 *c.* Each party state obligates itself to give due consideration to any  
 157 and all rules, regulations and codes issued by the commission and  
 158 hereby declares its policy and intent to be the promotion of uniform-  
 159 ity in the laws of the several party states relating to equipment.

160 *d.* The commission shall send prompt notice of its action in issu-  
 161 ing any rule, regulation or code pursuant to this article to the appro-  
 162 priate motor vehicle agency of each party state and such notice shall  
 163 contain the complete text of the rule, regulation or code.

164 *e.* If the constitution of a party state requires, or if its statutes  
 165 provide, the approval of the legislature by appropriate resolution or  
 166 act may be made a condition precedent to the taking effect in such  
 167 party state of any rule, regulation or code. In such event, the com-  
 168 missioner of such party state shall submit any commission rule, regu-  
 169 lation or code to the legislature as promptly as may be in lieu of  
 170 administrative acceptance or rejection thereof by the party state.

171 *f.* Except as otherwise specifically provided in or pursuant to sub-  
 172 divisions “*e*” and “*g*” of this article, the appropriate motor vehicle  
 173 agency of a party state shall in accordance with its constitution or  
 174 procedural laws adopt the rule, regulation or code within six months  
 175 of the sending of the notice, and, upon such adoption, the rule, regu-  
 176 lation or code shall have the force and effect of law therein.

177 *g.* The appropriate motor vehicle agency of a party state may de-  
 178 cline to adopt a rule, regulation or code issued by the commission  
 179 pursuant to this article if such agency specifically finds, after public  
 180 hearing on due notice, that a variation from the commission’s rule,  
 181 regulation or code is necessary to the public safety, and incorporates  
 182 in such finding the reasons upon which it is based. Any such finding  
 183 shall be subject to review by such procedure for review of adminis-

184 trative determinations as may be applicable pursuant to the laws of  
 185 the party state. Upon request, the commission shall be furnished  
 186 with a copy of the transcript of any hearings held pursuant to this  
 187 subdivision.

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ARTICLE VI—*Finance*

189 *a.* The commission shall submit to the executive head or designated  
 190 officer or officers of each party state a budget of its estimated ex-  
 191 penditures for such period as may be required by the laws of that  
 192 party state for presentation to the legislature thereof.

193 *b.* Each of the commission's budgets of estimated expenditures  
 194 shall contain specific recommendations of the amount or amounts to  
 195 be appropriated by each of the party states. The total amount of  
 196 appropriations under any such budget shall be apportioned among  
 197 the party states as follows: One-third in equal shares; and the re-  
 198 mainder in proportion to the number of motor vehicles registered in  
 199 each party state. In determining the number of such registrations,  
 200 the commission may employ such source or sources of information  
 201 as in its judgment present the most equitable and accurate compari-  
 202 sons among the party states. Each of the commission's budgets of  
 203 estimated expenditures and requests for appropriations shall indi-  
 204 cate the source or sources used in obtaining information concerning  
 205 vehicular registrations.

206 *c.* The commission shall not pledge the credit of any party state.  
 207 The commission may meet any of its obligations in whole or in part  
 208 with funds available to it under Article III "h" of this compact, pro-  
 209 vided that the commission takes specific action setting aside such  
 210 funds prior to incurring any obligation to be met in whole or in part  
 211 in such manner. Except where the commission makes use of funds  
 212 available to it under Article III "h" hereof, the commission shall not  
 213 incur any obligation prior to the allotment of funds by the party  
 214 states adequate to meet the same.

215 *d.* The commission shall keep accurate accounts of all receipts and  
 216 disbursements. The receipts and disbursements of the commission  
 217 shall be subject to the audit and accounting procedures established  
 218 under its rules. However, all receipts and disbursements of funds  
 219 handled by the commission shall be audited yearly by a qualified pub-  
 220 lic accountant and the report of the audit shall be included in and  
 221 become part of the annual reports of the commission.

222 *e.* The accounts of the commission shall be open at any reasonable  
 223 time for inspection by duly constituted officers of the party states and  
 224 by any persons authorized by the commission.

225 *f.* Nothing contained herein shall be construed to prevent commis-  
 226 sion compliance with laws relating to audit or inspection of accounts  
 227 by or on behalf of any government contributing to the support of the  
 228 commission.

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ARTICLE VII—*Conflict of interest*

230 *a.* The commission shall adopt rules and regulations with respect  
 231 to conflict of interest for the commissioners of the party states, and  
 232 their alternates, if any, and for the staff of the commission and con-  
 233 tractors with the commission to the end that no member or employee

234 or contractor shall have a pecuniary or other incompatible interest  
 235 in the manufacture, sale or distribution of motor vehicles or vehicular  
 236 equipment or in any facility or enterprise employed by the commis-  
 237 sion or on its behalf for testing, conduct of investigations or research.  
 238 In addition to any penalty for violation of such rules and regulations  
 239 as may be applicable under the laws of the violator's jurisdiction of  
 240 residence, employment or business, any violation of a commission  
 241 rule or regulation adopted pursuant to this article shall require the  
 242 immediate discharge of any violating employee and the immediate  
 243 vacating of membership, or relinquishing of status as a member on  
 244 the commission by any commissioner or alternate. In the case of a  
 245 contractor, any violation of any such rule or regulation shall make  
 246 any contract of the violator with the commission subject to cancella-  
 247 tion by the commission.

248 b. Nothing contained in this article shall be deemed to prevent a  
 249 contractor for the commission from using any facilities subject to his  
 250 control in the performance of the contract even though such facilities  
 251 are not devoted solely to work of or done on behalf of the commission;  
 252 nor to prevent such a contractor from receiving remuneration or  
 253 profit from the use of such facilities.

254 **ARTICLE VIII—*Advisory and technical committees***

255 The commission may establish such advisory and technical com-  
 256 mittees as it may deem necessary, membership on which may include  
 257 private citizens and public officials, and may cooperate with and use  
 258 the services of any such committees and the organizations which the  
 259 members represent in furthering any of its activities.

260 **ARTICLE IX—*Entry into force and withdrawal***

261 a. This compact shall enter into force when enacted into law by  
 262 any six or more states. Thereafter, this compact shall become effec-  
 263 tive as to any other state upon its enactment thereof.

264 b. Any party state may withdraw from this compact by enacting a  
 265 statute repealing the same, but no such withdrawal shall take effect  
 266 until one year after the executive head of the withdrawing state has  
 267 given notice in writing of the withdrawal to the executive heads of  
 268 all other party states. No withdrawal shall affect any liability al-  
 269 ready incurred by or chargeable to a party state prior to the time of  
 270 such withdrawal.

1 **SEC. 2.** The agencies and officers of this state and its subdivisions  
 2 and municipalities shall enforce this compact and do all things ap-  
 3 propriate to effect its purpose and intent which may be within their  
 4 respective jurisdictions.

Approved June 4, 1965.