

CHAPTER 297

MOTOR VEHICLE MANUFACTURERS AND DISTRIBUTORS LICENSES

S. F. 287

AN ACT relating to the licensing of manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives of motor vehicles.

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

1 SECTION 1. Section three hundred twenty-two point two (322.2),
 2 Code 1962, is hereby amended by adding thereto the following new
 3 subsections:
 4 "Manufacturer" means any person, resident or nonresident, who
 5 manufactures or assembles motor vehicles."
 6 "Distributor" or "wholesaler" means a person, resident or nonresi-
 7 dent, who in whole or part, sells or distributes motor vehicles to motor
 8 vehicle dealers, or who maintains distributor representatives."
 9 "Factory branch" means a branch office maintained by a person
 10 who manufactures or assembles motor vehicles, for the sale of motor
 11 vehicles to distributors, or for the sale of motor vehicles to motor
 12 vehicle dealers or for directing or supervising in whole or part, its
 13 representatives."
 14 "Distributor branch" means a branch office similarly maintained
 15 by a distributor or wholesaler for the same purposes."
 16 "Factory representative" means a representative employed by a
 17 person who manufactures or assembles motor vehicles or by a factory
 18 branch, for the purpose of making or promoting the sale of its motor
 19 vehicles, or for supervising or contacting its dealers or prospective
 20 dealers."
 21 "Distributor representative" means a representative similarly em-
 22 ployed by a distributor, distributor branch or wholesaler."

1 SEC. 2. Chapter three hundred twenty-two (322), Code 1962, is
 2 hereby amended by adding thereto the following new sections:
 3 "No manufacturer of motor vehicles, or factory branch, or distribu-
 4 tor, or distributor branch, shall engage in business as such in this state
 5 without a license therefor as provided in this chapter."
 6 "No factory representative or distributor representative shall en-
 7 gage in business as such in this state without a license therefor as
 8 provided in this chapter."
 9 "Application for license shall be made to the department by a manu-
 10 facturer, distributor, wholesaler, factory branch, distributor branch,
 11 factory representative or distributor representative in such form and
 12 contain such information as the department shall require and shall be
 13 accompanied by the required license fee. Such licenses shall be granted
 14 or refused within thirty (30) days after application therefor, and
 15 shall expire, unless sooner revoked or suspended, on December 31 of
 16 the calendar year for which they are granted."
 17 "License fees for each calendar year, or part thereof, shall be as
 18 follows effective January 1, 1966:
 19 "For motor vehicle manufacturers, distributors or wholesalers, five
 20 dollars (\$5.00); and for each factory branch in this state of a motor
 21 vehicle manufacturer, five dollars (\$5.00)."

22 "For a factory representative or distributor branch representative,
23 two dollars (\$2.00)."

24 "Every factory representative or distributor representative shall
25 carry his license when engaged in his business, and display the same
26 upon request. The license shall name his employer, and in case of a
27 change of employer, the representative shall immediately mail his
28 license to the department which shall endorse such change on the
29 license without charge."

30 "The licenses of manufacturers, factory branches, distributors and
31 distributor branches shall specify the location of the office or branch
32 and must be conspicuously displayed at such location. In case such
33 location be changed, the department shall endorse the change of loca-
34 tion on the license without charge if it be within the same municipal-
35 ity. A change of location to another municipality shall require a new
36 license."

37 "The department may deny the application of any person for a
38 license as a manufacturer, distributor, wholesaler, factory branch,
39 distributor branch, factory representative or distributor representa-
40 tive if after reasonable notice and a hearing the department deter-
41 mines that such applicant has violated any provision of this chapter
42 and may revoke or suspend any such license that has been issued if
43 the department shall determine after reasonable notice and a hearing
44 that such licensee has violated any provision of this chapter."

1 SEC. 3. Section three hundred twenty-two point nine (322.9),
2 Code 1962, is hereby amended by striking from line three (3) thereof
3 the word "licensee" and inserting in lieu thereof the words "retail
4 motor vehicle dealer".

1 SEC. 4. Section three hundred twenty-two point nine (322.9),
2 Code 1962, is hereby further amended by striking from line two (2)
3 of the second paragraph thereof the word "licensee" and inserting in
4 lieu thereof the words "retail motor vehicle dealer".

1 SEC. 5. Section three hundred twenty-two point three (322.3),
2 Code 1962, is hereby amended by striking the word "licensee" from
3 line four (4) of subsection three (3) and inserting in lieu thereof the
4 words "retail motor vehicle dealer".

1 SEC. 6. Section three hundred twenty-two point three (322.3),
2 Code 1962, is hereby further amended by inserting after the word
3 "agent" in line two (2) of subsection five (5) the words "or repre-
4 sentative".

1 SEC. 7. Section three hundred twenty-two point three (322.3),
2 Code 1962, is hereby further amended by inserting after the word
3 "agent" in line two (2) of subsection eight (8) the words "or repre-
4 sentative".

1 SEC. 8. Section three hundred twenty-two point seven (322.7),
2 Code 1962, is hereby amended by inserting after the word "The" in
3 line one (1) of subsection four (4) the words "motor vehicle dealer".

1 SEC. 9. Section three hundred twenty-two point eight (322.8),
2 Code 1962, is hereby amended by inserting after the word "Each" in
3 line one (1) the words "motor vehicle dealer".

1 SEC. 10. Section three hundred twenty-two point thirteen
 2 (322.13), Code 1962, is hereby amended by striking from line three
 3 (3) of subsection two (2) the words "motor vehicle dealers" and
 4 inserting in lieu thereof the word "persons".

1 SEC. 11. Section three hundred twenty-two point fourteen
 2 (322.14), Code 1962, is hereby amended by striking the first sentence
 3 of the second paragraph thereof.

1 SEC. 12. Section three hundred twenty-two point fourteen
 2 (322.14), Code 1962, is hereby further amended by adding thereto the
 3 following new paragraph:

4 "The provisions of this section shall not apply to violations under
 5 subsection five (5) of section three hundred twenty-two point three
 6 (322.3)."

1 SEC. 13. Chapter three hundred twenty-two (322), Code 1962, is
 2 hereby amended by adding a new section as follows:

3 "Nothing in this chapter shall be construed to impair the obliga-
 4 tions of a contract or to prevent a licensee hereunder from requiring
 5 performance of a written contract entered into with another licensee
 6 hereunder, nor shall the requirement of such performance constitute a
 7 violation of any of the provisions of this chapter."

Approved May 25, 1965.

CHAPTER 298

MOTOR VEHICLE FUEL TAX

H. F. 160

AN ACT relating to the tax on diesel fuel, motor fuel, and other special fuel.

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

1 SECTION 1. Section three hundred twenty-four point three (324.3),
 2 Code 1962, as amended by section one (1) of chapter one hundred
 3 ninety-four (194), Acts of the Sixtieth General Assembly, is hereby
 4 amended by striking from line two (2) the word "six" and inserting
 5 in lieu thereof the word "seven (7)".

1 SEC. 2. Section three hundred twenty-four point thirty-four
 2 (324.34), Code 1962, is hereby amended by striking from line six (6)
 3 the word "seven" and inserting in lieu thereof the word "eight (8)".

1 SEC. 3. Section three hundred twenty-four point seventy-eight
 2 (324.78), Code 1962, is hereby amended by adding thereto the follow-
 3 ing:

4 "The net proceeds of one (1) cent per gallon excise tax on the diesel
 5 special fuel and one (1) cent per gallon excise tax on motor fuel and
 6 other special fuel collected under the provisions of this chapter shall
 7 be credited by the treasurer of state to the primary road fund to be
 8 used for construction of primary roads other than highways desig-