

1 SEC. 6. All motorcycles are entitled to full use of a lane and no
2 motor vehicle shall be driven in such a manner as to deprive any motor-
3 cycle of the full use of a lane with the exception that this shall not apply
4 to motorcycles operated two abreast in a single lane.

1 SEC. 7. The operator of a motorcycle shall not overtake and pass in
2 the same lane occupied by the vehicle being overtaken.

1 SEC. 8. No person shall operate a motorcycle between lanes of traffic or
2 between adjacent lines or rows of vehicles.

1 SEC. 9. Motorcycles shall not be operated more than two abreast in a
2 single lane.

1 SEC. 10. Any motorcycle carrying a person other than in a sidecar or
2 enclosed cab shall be equipped with foot rests for such passenger.

1 SEC. 11. No person shall operate any motorcycle with handlebars
2 more than fifteen inches in height above that portion of the seat occupied
3 by the operator.

1 SEC. 12. The above regulations in regard to motorcycles shall not
2 apply to motorcycles or motor scooters when used in a parade authorized by
3 proper permit from local authorities.

Approved May 22, 1969.

CHAPTER 205

OPERATION OF A MOTOR VEHICLE WHILE INTOXICATED

H. F. 207

AN ACT relating to the operation of a motor vehicle while the operator of a vehicle is under the influence of alcoholic beverages or other substances, or a combination of such substances, which prevent the safe operation of a motor vehicle.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 eighty-one (321.281), Code 1966, is hereby amended as follows:

3 1. By striking lines one (1) through seven (7), inclusive, and inserting in
4 lieu thereof the following:

5 "Whoever operates a motor vehicle upon the public highways of this
6 state while under the influence of an alcoholic beverage, a narcotic, hyp-
7 notic or other drug, or any combination of such substances shall, upon con-
8 viction or a plea of guilty, be punished for the first offense by a fine of not
9 less than three hundred".

10 2. By striking lines thirty-nine (39) and forty (40) and inserting in lieu
11 thereof the following:

12 "shall not be less than one hundred twenty days for conviction of a
13 first offense of operating a motor vehicle while under the influence of an al-
14 coholic beverage, a narcotic, hypnotic or other drug, or any combination
15 of such substances; of not less than two hundred forty days for conviction
16 of a second offense of such charge; and not less than one year for conviction

17 of a third offense of such charge and for each offense thereafter, notwithstand-
 18 ing the provisions of section three hundred twenty-one point two hundred
 19 twelve (321.212) of the Code; and the”.

20 3. By striking from line fifty-nine (59) the words “narcotic or hypnotic
 21 drugs” and inserting in lieu thereof the words “a narcotic, hypnotic or other
 22 drug”.

23 4. By striking from line sixty (60) the word “drugs” and inserting in lieu
 24 thereof the word “substances”.

25 5. By adding at the end of said section the following:

26 “For the purposes of this section, evidence that there was, at the time,
 27 more than ten hundredths of one percentum by weight of alcohol in his
 28 blood shall be admitted as presumptive evidence that the defendant was
 29 under the influence of an alcoholic beverage. No previous conviction for,
 30 or plea of guilty to, an offense under this section occurring more than six
 31 (6) years prior to the date of the violation being charged shall be used
 32 to determine that the violation being charged is a second, third or subse-
 33 quent offense.”

1 SEC. 2. Section twenty-nine B point one hundred six (29B.106), Code
 2 1966, is hereby amended by striking from line three (3) the word “drunk”
 3 and inserting in lieu thereof the words “under the influence of an alco-
 4 holic beverage, a narcotic, hypnotic or other drug, or any combination of
 5 such substances”.

1 SEC. 3. Section three hundred twenty-one point two hundred nine
 2 (321.209), Code 1966, is hereby amended by striking from subsection two
 3 (2), lines two (2) and three (3), the words “intoxicating liquor or a narcotic
 4 drug” and inserting in lieu thereof the words “an alcoholic beverage, a
 5 narcotic, hypnotic or other drug, or any combination of such substances”.

1 SEC. 4. Section three hundred twenty-one point four hundred ninety-
 2 four (321.494), Code 1966, is hereby amended by striking from line seven
 3 (7) the words “intoxicating liquor” and inserting in lieu thereof the words
 4 “an alcoholic beverage, a narcotic, hypnotic or other drug, or any combina-
 5 tion of such substances”.

1 SEC. 5. Section three hundred twenty-one B point one (321B.1), Code
 2 1966, is hereby amended by striking from lines six (6) and seven (7) the
 3 words “in an intoxicated condition” and inserting in lieu thereof the words
 4 “under the influence of an alcoholic beverage”.

1 SEC. 6. Section three hundred twenty-one B point three (321B.3),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from line six (6) the words “in an intoxicated condition”
 4 and inserting in lieu thereof the words “under the influence of an alcoholic
 5 beverage”.

6 2. By striking from lines eighteen (18) and nineteen (19) the words “in
 7 an intoxicated condition” and inserting in lieu thereof the words “under the
 8 influence of an alcoholic beverage”.

9 3. By striking from lines twenty-one (21) and twenty-two (22) the words
 10 “in an intoxicated condition” and inserting in lieu thereof the words “under
 11 the influence of an alcoholic beverage”.

1 SEC. 7. Section three hundred twenty-one B point seven (321B.7),
 2 Code 1966, is hereby amended as follows:

3 1. By striking from lines eight (8) and nine (9) the words "in an intoxi-
4 cated condition" and inserting in lieu thereof the words "under the influence
5 of an alcoholic beverage".

6 2. By striking from lines eleven (11) and twelve (12) the words "in an
7 intoxicated condition" and inserting in lieu thereof the words "under the
8 influence of an alcoholic beverage".

1 SEC. 8. Section three hundred twenty-one B point eight (321B.8),
2 Code 1966, is hereby amended by striking from lines nineteen (19) and
3 twenty (20) the words "in an intoxicated condition" and inserting in lieu
4 thereof the words "under the influence of an alcoholic beverage".

1 SEC. 9. Section three hundred twenty-one B point ten (321B.10), Code
2 1966, is hereby amended by striking from line six (6) the words "in an intox-
3 icated condition" and inserting in lieu thereof the words "under the influ-
4 ence of an alcoholic beverage".

1 SEC. 10. Section three hundred twenty-one B point eleven (321B.11),
2 Code 1966, is hereby amended by striking from line eight (8) the words "in
3 an intoxicated condition" and inserting in lieu thereof the words "under the
4 influence of an alcoholic beverage".

1 SEC. 11. Section three hundred twenty-one B point twelve (321B.12),
2 Code 1966, is hereby amended by striking from line five (5) the words "in
3 an intoxicated condition" and inserting in lieu thereof the words "under
4 the influence of an alcoholic beverage".

1 SEC. 12. Section seven hundred forty-nine point two (749.2), Code 1966,
2 is hereby amended by striking from line eleven (11) the word "intoxicated"
3 and inserting in lieu thereof the words "under the influence of an alcoholic
4 beverage".

1 SEC. 13. Section three hundred twenty-one B point three (321B.3),
2 Code 1966, is hereby amended by inserting the following after the period in
3 line twenty-nine (29): "Subject to the right of a person to refuse a blood
4 test or to refuse to submit to any chemical testing, such peace officer may
5 determine which of said substances shall be tested; and if he requires a
6 breath test, he may also require a test of one other of said substances."

1 SEC. 14. Section three hundred twenty-one B point four (321B.4), Code
2 1966, is hereby amended by inserting the following after the period in line
3 eight (8): "However, any peace officer, using devices and methods approved
4 by the commissioner of public safety, may take a specimen of a person's
5 breath or urine for the purpose of determining the alcoholic content of the
6 person's blood."

Approved May 12, 1969.